The Open-Door Policy and The Territorial Integrity of China

With Verses in Japanese

B. Shutaro Tomimas, A.M.
William Bayard Cutting Travelling Fellow in International Law,
Instructor in Japanese, Extension Teaching,
Columbia University

1919

The Open-Door Policy
and
The Territorial Integrity
of
China

ALMA MATER
COLUMBIA UNIVERSITY
AUGUST, 1914

The Open-Door Policy and The Territorial Integrity of China

Not Versus Japanese

By Shutaro Tomimas, A.M.

William Bayard Cutting Travelling Fellow in International Law,
Instructor in Japanese, Extension Teaching,
Columbia University

1919

Published January, 1919

To
Alma Mater,
Columbia University,
under whose fostering care
young men and women from all corners of the world,
who are the builders of the new order,
come to learn
"The International Mind,"
this little book
is
respectfully
dedicated

NOTE

These papers and verses (*in Japanese*) were mostly written during my study at Columbia for the last few years. They are collected in this form lest they should go astray.

The epochal day of the signature of the armistice closing the World's War is oddly coincident with my birthday and the completion of this essay.

S. TOMIMAS

The Red House. Riverside Drive

Novemb

CONTENTS

PAGE

The Open-Door Policy Applied to China

THE OPEN-DOOR POLICY APPLIED TO CHINA[1]

One of the most remarkable achievements of the foreign policy of the United States was not to appear until seventy-six years after the promulgation of the famous Monroe Doctrine. It was the Open-Door Policy, inaugurated on the 6th of September, 1899, by John Hay, then Secretary of State, in order to meet the situation in China. Just as the Monroe Doctrine has been a policy which has exacted unswerving adherence for nearly one hundred years, so the Open-Door Policy will demand the same fidelity on the part of future American statesmen and diplomatists. By the former the United States for many decades has reaped an abundant harvest, and by the latter is in great expectation of another, with which to foster the commerce and industry of the country, and with which she may insure the welfare and growth of her national prestige in the Far East.

The pleasant remembrance of the success gained by the former will make the nation adhere to the latter with the utmost tenacity in order to achieve other strokes of diplomacy. During the past sixteen years the Open-Door Policy has already exercised, and is expected to continue to exercise for generations to come, its full sway in the field of diplomacy in the Orient. This policy has attracted the attention of the world with ever-increasing interest, and may remain, if supported by a dauntless spirit as well as by sufficient strength in the people, the masterpiece of the achievements of American diplomacy.

[1] This paper was written in the summer months of 1915 and "submitted in partial fulfilment of the requirements for the degree of Master of Arts in the Faculty of Political Science, Columbia University," in April, 1916.

CHAPTER I

THE HELPLESS EAST AND THE POLICIES OF WESTERN POWERS[2]

Intervention of the three Powers to the Shimonoseki Treaty of Peace—Russian traditional policy and her eastward expansion—German policy of getting rid of France and Russia—Position of France—Political morality of Western Powers—Helplessness of Japan and China.

An Imperial Edict of the "Mikado" was promulgated upon the restoration of peace with China which was the outcome of the Shimonoseki Treaty of April 17, 1895. On the eve of these joyful hours Japan was to encounter the impregnable obstacles in her way to the legitimate pride of her victory. In the course of the peace negotiations with Japan, China had been employing her traditional policy of inviting the third powers to meddle with the second in the struggles, out of which confusion she is to find the vantage-ground of her own security.[3] Herr Dettling, a German adviser to Li Hung Chang, in cooperation with Herr von Brandt, former German Minister to China, who was then in Berlin, took an active part in undermining the peace treaty.[4] It was for this purpose that Wong Chi Chung made his pilgrimage to Russia and France,[5] which turned out to be successful.

On April 23, Russia, France, and Germany made representations to the Japanese government urging the retrocession of the Liao-tung Peninsula. "Such territorial acquisition," they said in their pious phrase, "constitutes a menace against the

[2] See "Imperialism in Asia" in J. A. Hobson's *Imperialism, a Study*, pp. 305–346.

[3] It is quite possible that the conflicts of national Imperialism thus provoked, skillfully used for self-defense by the Chinese Government, may retard for a long time any effective opening up of China by Western enterprise and that China may defend herself by setting her enemies to fight among themselves. J. A. Hobson: *Imperialism, a Study*, p. 331.

[4] Nagao Ariga: Saikin-Sanjū-Uen Gwaikō-Shi (*The History of Diplomacy of the Last Thirty Years*), Vol. I, pp. 544–550.

[5] N. Ariga: *The History of Diplomacy of the Last Thirty Years*, Vol. I, pp. 544–550.

capital of China, renders Korea's independence merely nominal, and jeopardizes the perpetual peace in the Far East."

It is necessary at this juncture to make a brief survey of the relations of these countries in order to have a clear conception of their intervention.

Toward the end of the nineteenth century diplomacy found a new sphere of activity, namely, China. During the last two decades, European policy had constant and considerable influence upon Asiatic policy, while the latter also affected the former. Statesmen in Europe and Asia gave keen attention even to the slightest occurrences on either side. The diplomatic groupings formed by reason of interests on the political stage in Europe had their effects in Asia.

Russia, having handed down from Peter the Great with almost pious devotion its traditional policy of securing an ice-free port with free access to ocean navigation, made three unsuccessful attempts to secure such a one: first, on the Scandinavian Peninsula; second, on the Bosphorus Strait; and, third on the Persian Gulf. All these efforts were lamentably thwarted by Great Britain, whose sea-supremacy had at any price to remain undisturbed and untrammeled. Being thus blocked on all sides, the "Russian Bear," in quest of new worlds to conquer, crossed the frozen fields of Siberia to the sunny shores of the Pacific. From this time on China felt the threatening power of Russia. During the whole of the nineteenth century, Russia obtained excellent results by a policy of "pacific penetration." In 1858 the Czar's dominions had been extended along the left bank of the Amur River to the Pacific Ocean. In 1860 the maritime province of Manchuria between the Ussuri River and the sea, was ceded by China together with the use of the harbor of Vladivostok. In 1891 Russia began to undertake the construction of the Trans-Siberian Railroad, and the whole scheme of railroad development was planned for the facility of transportation of the expedition against China and Korea.[6] In the minds of Rus-

[6] "The Past and Future of Russian Power of Transportation in the Far Eastern Regions" by Raijiro Tatsumi in the *Gwaikō-Jihō* (Revue Diplomatique), 1907, No. 113, pp. 209–214, and "The Value of the Double-Track of the Siberian Railway" by the same writer in the same periodical, 1907, pp. 433–440; and also M. M. Shoemaker: *The Great Siberian Railway, from St. Petersburg to Peking.*

sian statesmen, the complete Russianization of Manchuria and Korea, and the predominance of Russian influence throughout northern China was almost *"fait accompli."*

For many years the question of suzerainty over Korea had been a matter of dispute between the two neighboring empires. China had regarded Korea as a vassal state from time immemorial; Japan, realizing the designs of Russian policy and the weakness of the Chinese Government, sought to establish Korea as an independent state. The real issue was between Japan and Russia, though it took the form of a war with China.[7]

On receipt of the news of the Shimonoseki Treaty, Russia feared the situation would result in the utter destruction of her cherished hope. She made up her mind to pursue a decisive course.

Germany, after the Franco-German war and the Congress of Berlin, was busy diverting the mind of France from a spirit of vengeance on one hand, and, on the other, tempting Russia Asia-wards with the object of "getting rid of her influence in Europe." To his western neighbor the German Chancellor, Bismarck, explaining his policy in a conciliatory manner, used to say: "To win the confidence, not only of the smaller European states, but also of the Great Powers, and convince them that German policy will be just and peaceful, now that it has repaired the *injuria temporum*, the disintegration of the nation." With the somewhat threatening tone of an augurer, as well as with the seducing whisper of an instigator, he suggested to his eastern neighbor to escape from Europe and the Vistula: "Russia has nothing to do in the West. All that she can get there is nihilism and other maladies. Her mission is in Asia. There she represents civilization."

On the accession of Emperor William II to the throne and with the adoption of the *Weltpolitik*, German government also had acquired a taste for a colonial Empire,[8] and longed for a

[7] "Tsingtau: The Sequel to Port Arthur," G. Oklinger, *Atlantic Monthly*, January, 1915, p. 125.

[8] Charles Andller: *Le Pangermanisme Colonial sous Guillaume II*, préface, pp. I–C, and Ferdinand Wohltman's article, "Pourquoi l'Allemagne a besoin de colonies," in the same book, pp. 12–15.

"place in the sun" of the Far East. To drive Russia to the scramble in China and to seek for herself the spoils therein was to "kill two birds with one stone." Moreover, Germany had been looking with a jealous eye upon the growing intimacy between France and Russia, and wished to throw cold water upon that. Thus the threads of German policy in China were closely interwoven with those of Russia, and every step taken by either power gained the support of the other. We see the application of this cooperation of the "incomprehensible intimacy" between M. Koyander, Russian Minister, and Herr von Brandt, German Minister, at Peking at the time of the Kouldja incident in 1880.[9]

France, desirous of regaining her lost prestige of 1870–1871, did everything to court the friendship of the government of St. Petersburg. The alliance was finally made between these two governments on the 22d of August, 1891, and the "balance of power" was once more established in Europe. "Being in the honeymoon period of the alliance, France was hardly in a position to restrain her other half by show of authority," [10] when Russia seized the opportunity in the Far East to fulfil her ultimate aim. On June 10, 1895, fifteen weeks after the concerted action of the three powers in Tokio, M. Hanotaux, French Foreign Minister, in response to the challenge made by M. Millerand in the Chambre des Députés, explained the policy pursued by the French Government. The minister in his speech quoted the telegraphic message of instruction to the French Ambassador at St. Petersburg:

> France esteems the consideration of her alliance the first of her preoccupations. . . . We are therefore disposed to support, with all possible effort, the view of the Imperial Government concerning the conditions of peace between China and Japan.
>
> (La France met au premier rang de ses préoccupations la considération de ses alliances. . . . Nous sommes donc disposés à appuyer, avec toute l'efficacité possible, les vues du gouvernement impérial concernant les conditions de la paix entre la Chine et le Japon.[11])

[9] André Tardieu: *France and the Alliances*, p. 213.

[10] André Tardieu: *France and the Alliances*, p. 214, and R. S. Reinsch: *World Politics*, pp. 228–229.

[11] *Chambre des Députés, Débats Parlementaires*, 1895, 2, p. 1646.

Thus France cast her lot with Russia to show her consistency to her consort in the alliance, though not without some reluctance in doing this at the expense of Japan.

This was the situation of Russia, France, and Germany; and they sought in Asia what they could not find in Europe—the settlement of their differences. This took the form of the "European concert" in China, and interfered with the Shimonoseki Treaty. On the receipt of the representations from the three powers, Japan knew that, though couched in friendly terms, they called for a settled course of action. Again she realized that her army and navy, after the exertion of the past war, were not in a position to cope with the combined force of three powers. When the joy of triumph proved to be of ephemeral nature, a deep chagrin spread throughout the length and breadth of the country. Japan, a child in the family of nations, when taught by the powers that the phrase of Montaigne, "Que le dommage de l'un est le profit de l'autre," had still to realize, to her great bewilderment, the value of international morality. The treaty of Peking, of July 21, 1895, set the seal to this sacrifice which was a painful one for Japanese pride to make. But she had no other choice at the time than to bow to the inevitable. The diplomacy of China had reason to be congratulated upon its success. Her sense of relief, however, was also transient; and she was compelled in her turn to drink the bitter cup of humiliation.

CHAPTER II

LAND HUNGER OF THE WESTERN POWERS IN CHINA

Disintegration of Chinese Empire—Designs of the Powers—German occupation of Kiao-chow Bay—Treaty of lease between Germany and China, March 6, 1898—Prince von Bülow on the "place in the sun" in China—Baron Marshall von Beiberstein on identity of German and Russian interests in China—Russian lease of Port Arthur and Talienwan, March 27, 1898—Remorse of Japan—Mistake of Japanese diplomacy in retrocession of Liao-tung peninsula—Attitude of Great Britain—British lease of Wei-hai Wei, April 3, 1898, and extension of the Hong Kong Territory, June 9, 1898—French lease of Kwang-chou, May 27, 1898—Italy's design on Sammum Bay (Che-Kiang) and its failure—Significance of lease in international law—Lawrence's view—German interpretation—Westlake on lease and non-alienation pledge—Non-alienation of Kwangtung, Kwangsi and Yunnan, April 10, 1898—Recognition by Great Britain of the position of Germany in Shantung Province, note of April 20, 1898—Japan and non-alienation of Fukien Province, April 24, 1898—Russian position in Liao-tung; Russian-Chinese Additional Agreement, May 7, 1898—Railway concessions—Anglo-Russian Agreement, April 28, 1899—British acquiescence—Inconsistency of British policy.

China for many years had been regarded by the Western Powers as the great military power in the Far East; and by reason of this mistaken notion she was able to keep them from more aggressive steps toward her. But her defeat by Japan proved fatal. Until this time the world had been engaged in the exploration of the "Dark Continent." In these attempts European Powers found the difficulties of transportation, as well as the unbearable heat, an impregnable barrier to the accomplishment of their ambitions, while China had a more favorable climate and a higher civilization, which made the marketing of their products easier. When the military weakness and inefficiency of this "Great Empire" was revealed abroad, the Powers regarded China as an easy prey, and diverted their attention from African coasts to China. Thus European encroachment was launched in a wholesale fashion, and the history of Asia assumed an entirely different aspect.

The "three friends" of China, each in turn, claimed the fruit of intervention as a compensation for their friendly efforts. They demanded an avowal from the "Imperial Chinese Government" that "it should, in a special manner, evidence its appreciation of the friendship which has always been manifested by them."

By an unhappy chance two German Catholic priests at Chang Tong of Shantung Province were murdered on November 7, 1897. This outrage was most opportune in furnishing Germany [1] with a pretext for the execution of her plans. On November 10, a German squadron, under the command of Admiral von Diederichs, arrived at the entrance to Kiaochow Bay; and, on December 3, a landing force captured the city. With the German forces in possession, Baron von Heyking, German Minister at Peking, appeared at the Tsunghi Yamen on November 20 to open negotiations. Li Hung Chang and his colleagues were amazed. They recalled the friendly assistance given them in 1895, and sought assistance from the Russian and French legations; but they found this time only a deaf ear turned to their entreaties.

At the same time an expedition was theatrically organized at Kiel under the command of Prince Henry of Prussia. On the arrival of this squadron in Chinese waters, China felt the "mailed fist" of the German Emperor still more strongly. She found no other way but to yield. On March 6, 1898, the convention was signed at Peking. The text of the treaty, here represented, became the sample of those that were concluded afterward between China and the other Powers in connection with the lease.

TREATY BETWEEN CHINA AND GERMANY [2]

respecting the lease of
KIAO-CHAU TO GERMANY

Signed at Peking, 6th March, 1898

(Signed in German and Chinese—*Translation*)

The incidents connected with the Mission in the Prefecture of Tsao-Chau-foo, in Chantung, being now closed, *the Imperial Chinese Govern-*

[1] "German Policy in the Far East" by Eiichi Makino in the *Gwaikō-Jihō* (Revue Diplomatique), July, 1905, No. 93, pp. 366–372.

[2] *Das Staatsarchiv*, 1898 (61), pp. 1–3.

ment considers it advisable to give a special proof of their grateful appreciation of the friendship shown to them by Germany.[3] The Imperial German and the Imperial Chinese Governments, therefore, *inspired by the equal and mutual wish to strengthen the bonds of friendship which unite the two countries*, and to develop the economic and commercial relations between the subjects of the two States, have concluded the following separate convention:

SECTION I

ARTICLE I

FREE PASSAGE OF GERMAN TROOPS. RESERVATIONS

His Majesty, the Emperor of China, guided by the intention to strengthen the friendly relations between China and Germany, and at the same time to increase the military readiness of the Chinese Empire, *engages while reserving to himself all rights of sovereignty in a zone of fifty kilometers (one hundred Chinese li) surrounding the Bay of Kiao-Chau at high water, to permit the free passage of German troops within this zone at any time, as also to abstain from taking any measures or issuing any ordinances therein, without the previous consent of the German Government*, and especially to place no obstacle in the way of any regulation of the water-courses which may prove to be necessary. His Majesty, the Emperor of China, at the same time reserves to himself the right to station troops within that zone, in agreement with the German Government, and to take other military measures.

ARTICLE II

LEASE OF KIAO-CHAU

With the intention of meeting the legitimate desire of His Majesty the German Emperor, that Germany, like other Powers, should hold a place on the Chinese coast for the repair and equipment of her ships, for other arrangements connected therewith, His Majesty, the Emperor of China, cedes to Germany in lease, provisionally for ninety-nine years, both sides of entrance to the Bay of Kiao-chau.

FORTIFICATIONS

Germany engages to construct, at a suitable moment, on the territory thus ceded, fortifications for the protection of the buildings to be constructed there and of the entrance to the harbor.

ARTICLE III

ADMINISTRATION

In order to avoid the possibility of conflicts, the Imperial Chinese Government will abstain from exercising rights of sovereignty in the ceded

[3] Choice of italic print in this work for emphasis is mine and not attributable to authors quoted.

territory during the term of lease, and leaves the exercise of the same to Germany within the following limits:

1. On the northern side of the entrance to the bay:

The peninsula bounded to the northeast by a line drawn from the northeastern corner of Potato Island to Loshau Harbor.

2. On the southern side of the entrance to the bay:

The peninsula bounded to the southwest by a line drawn from the most southwestern point of the bay lying to the south southwest of Chiposan Island in the direction of Tolosan Island.

3. The Island of Chiposan and Potato Island.

4. The whole water area of the bay up to the highest water-mark at present known.

5. All islands lying seaward from Kiao-chau Bay, which may be of importance for its defense, such as Tolosan, Chalienchow, etc.

The High Contracting Parties reserve to themselves to deliminate more accurately, in accordance with local traditions, the boundaries of the territory leased to Germany, and of the fifty kilometers zone round the bay, by means of Commissioners to be appointed on both sides.

CHINESE SHIPS

Chinese ships of war and merchant vessels shall enjoy the same privileges in the Bay of Kiao-chau as the ships of other nations on friendly terms with Germany; and the entrance, departure, and sojourn of Chinese ships in the bay shall not be subject to any restrictions *other than those which the Imperial German Government, in virtue of the rights of sovereignty over the whole of the water area of the bay transferred to Germany*, may at any time find it necessary to impose with regard to the ships of other nations.

Article IV

NAVIGATION SIGNALS. PORT DUES

Germany engages to construct the necessary navigation signals on the islands and shallows at the entrance of the bay. No dues shall be demanded from Chinese ships of war and merchant-vessels in the Bay of Kiao-chau, except those which may be levied upon other vessels for the purpose of maintaining the necessary harbor arrangements and quays.

Article V

PROVISION OF RETURN TO CHINA OF KIAO-CHAU BEFORE EXPIRATION OF LEASE

Should Germany at some future time express the wish to return Kiao-chau to China before the expiration of the lease, *China engages*

to refund to Germany the expenditure she has incurred at Kiao-chau, and *to cede to Germany a more suitable place.*

(Sollte Deutschland später einmal den Wunsch äussern, die Kiao-tschau-Bucht vor Ablauf der Pachtzeit an China zurückzugeben, so *verpflichtet sich China*, die Aufwendungen, die Deutschland in Kiao-tschau gemacht hat, zu ersetzen und *einen besser geeigneten Platz an Deutschland zu gewähren.*)

Germany engages at no time to sublet the territory leased from China to another Power.

PROTECTION OF CHINESE RESIDENTS

The Chinese population dwelling in the ceded territory shall, at all times, enjoy the protection of the German Government, provided that they behave in conformity with law and order; unless their land is required for other purposes, they may remain there.

If land belonging to Chinese owners is required for any other purpose, the owner will receive compensation.

CUSTOMS REGULATIONS

As regards the re-establishment of Chinese customs stations which formerly existed outside the ceded territory but within the fifty kilometer zone, the Imperial German Government intends to come to an agreement with the Chinese Government for the definitive regulation of the customs frontier, and the mode of collecting customs duties, in a manner which will safeguard all the interests of China, and proposes to enter into further negotiations on the subject.

(Sections II and III are here omitted. See Hertslet's *China Treaties*, Vol. I, p. 353.)

In writing his book, "Imperial Germany," ten years after this event, Prince von Bülow made the following description with a happy frame of mind:

The Shantung Treaty with China was one of the most significant actions in modern German history, and secured for us a "place in the sun," on the shores of the Pacific Ocean which have a great future before us.[4]

But who could foretell the surrender of the Germans at Tsing-tau[5] only five years later? Who knows the vicissitudes of international affairs?

[4] Prince von Bülow: *Imperial Germany*, translated by M. A. Lewenz, p. 115.

[5] "Tsingtau and Its Significance: with Some Impressions from a Recent Visit," by William Blane in *The Nineteenth Century and After* (December, 1914), pp. 1213–1226, and "Tsing-tao et la Ruine de la Culture Allemande en Extrême-Orient" par D. Bellet, *Revue des Deux Mondes*, tome vingt-sixième (Mars 1, 1915), pp. 121–149.

Toward the close of 1896 Baron Marshall von Beiberstein, Foreign Minister of Germany, explained in the Reichstag the identity of the German and Russian interests in China. He said: "These extra-continental interests will in all probability furnish us an opportunity of acting in harmony with the power with which we operated last year" in Tokio.

Thus supported by Germany, Russia defied the repeated protests made by Great Britain, and in her turn succeeded in compelling China on March 27, just three weeks after the German lease of Kiao-chow, to sign a convention at Peking.

In order to provide for Russia a suitable base on the northern coast of China, and thereby to render her naval position complete and secure, the Emperor of China agreed to lease to Russia for a term of twenty-five years, subject to prolongation by mutual agreement, Port Arthur and Talien-wan with their adjacent waters as a depot of military and naval supplies, to be fortified and defended by Russia and administered by Russian officers.[6]

The convention further stipulated that:

Port Arthur should be regarded as a naval station, to be used by Russian and Chinese ships only, and to which neither the men-of-war nor the merchantmen of any other power should have access.[7]

Since the conclusion of the Treaty of Peking, July 21, 1895, Japan's attitude toward the movements of Russia was that of "watchful waiting." Though stripped of her conquests, she would, perhaps, have resigned herself to see them remain in the hands of China. What decided her to resort to another coup in later years was the "substitution of the Russian for the Japanese flag at Port Arthur."

When the news of the success of the Russian lease reached Japan, she re-experienced the chagrin of three years past as well as "fathomed the Russian devotion" in Montaigne's phrase. The installation of a third power in the Liao-tung peninsula constituted, in the words of the friendly advice given Japan just three years before, "a great menace to the independence of Korea as well as to the security of the capital of China" and thus further threatened the prestige of Japan. China was weak and resistless, and was open only to the mercy of "the

[6] J. B. Moore: *Digest of International Law*, Vol. v, p. 474.
[7] *Ibid.*

tiger-like voracity"[8] of the Western Powers. An unsupported structure will fall to the ground, inflicting damage on all in its vicinity. Japan must support the falling Empire in order to secure self-protection and to maintain peace in the Orient.

Here we mark the blunder of diplomacy committed by Japan during the foreign intervention in 1895. Japan should have secured the assurance from the three powers that they would abstain from leasing or occupying the Liao-tung Peninsula, the refusal of which meant an open declaration of their ambitions. This refusal could hardly be made under the professed principle of their altruistic motives. It is, however, the result of this dearly-bought experience that in her recent demands on China, twenty years after, Japan tried to get the guaranty from China of non-alienation of her territory to any third power.[9]

Now we shall examine the attitude of Great Britain at the time of the Russian lease of Port Arthur. Her repeated protests against the Russian lease of the Liao-tung Peninsula were disregarded, and her efforts to prevent this lease were frustrated by Russia's subtle diplomacy. She then maintained that the possession of Port Arthur by another nation . . . "would have an effect upon the balance of power at Peking which Her Majesty's Government could not but regard with grave objection."[10] Since all the efforts to prevent Russia from fortifying Port Arthur proved unavailing, Lord Salisbury, British Foreign Minister, on March 25, sent telegraphic instructions to Sir Claud MacDonald, British Minister at Peking, demanding quick action.

> Balance of power in Gulf of Pechili is materially altered by surrender of Port Arthur by the Yamen to Russia. It is therefore necessary to obtain, in the manner you think most efficacious and speedy, the refusal of Wei-hai Wei on the departure of the Japanese. The terms should be similar to those granted to Russia for Port Arthur. British fleet is on way from Hong Kong to Gulf of Pechili.[11]

[8] Chinese Empress Dowager's Decree early in 1900.

[9] The full text of Japanese demands on China, *New York Times*, February 19, 1915.

[10] British State Paper, 1898. Nos. 110, 126, 129, 132, 137, 144.

[11] British State Paper, 1898. Nos. 110, 126, 129, 132, 137, 144.

The decisive steps taken by the British Minister brought the desired results. On April 3 Great Britain acquired the right to occupy Wei-hai Wei for such time as Russia might remain in Port Arthur. Again, June 9, in the same year, on the pretext of balance of power in southern China after the French Lease, Great Britain made China sign the convention for the extension of the Hong Kong territory.

France was far from being idle in following these examples. She made Kwang-chou wan her choice morsel, and this action was officially recognized by the convention of the 27th of May.

> China is powerless to resist the demands which are made upon her, and, when she yields to one Power by *force majeure*, she is immediately bullied by other powers to give them compensation for things she had neither the moral right to grant nor the physical power to refuse.[12]

This was the state of affairs pictured by Lord Charles Beresford.

Even Italy,[13] a power which so far had hardly been heard of in Chinese affairs, with keen appetite cast her covetous eye on the "Oriental Pie" (Sammum Bay on the coast of Che-kiang), and cried out: "Me, too."[14] The characteristic sagacity of the Chinese statesmen, however, perceived that this cry was one of supplication. Realizing that there was no force behind it, China made a flat refusal to Italy's demands despite the "self-made" ultimatum of Signore Martino, Italian Minister at Peking.

In order to emphasize the gravity of the situation, it is necessary at this juncture to have a clear conception of the term of lease. This can be stated from two legal points of view: one, from the inseparability of possession and sovereignty; the other, from the impossibility of restoration.

"In private law," Lawrence, discussing the former phase of the question, says, "both lease and usufruct imply that the property continues

[12] *China and the Powers in the Crisis in China*, and J. B. Hobson: *Imperialism, a Study*, p. 331. The present epoch, therefore, is one of separate national policies and special alliances in which groups of financiers and capitalists urge their governments to obtain leases, concessions or other preferences over particular areas.

[13] Italian Foreign Minister Canevaro's Speech in Parliament, February 22, 1899.

[14] E. C. Stowell: *Diplomacy of the War of 1914*, Vol. I, p. 24.

to belong to the grantor, while the grantee has the use and beneficial enjoyment of it for the time and under the conditions fixed in the grant. Are we then to say that Port Arthur, Wei-hai Wei, Kiao-chau and Kwang-chau wan are still Chinese territory, though Japan, Great Britain and other powers concerned exercise for a time important rights in them? If so, on what footing do other states stand in respect of their treaties of commerce with China, or with regard to their belligerent rights if they should be at war with China or with the lessee? As to the latter point, the experience of the Russo-Japanese struggle of 1904–1905 shows conclusively that for all purposes of war and neutrality leased territory must be regarded as a part of the dominion of the power that exercises full control over it. In fact, the attempt to separate property or sovereignty on the one hand from possession on the other, by the use of phrases taken from the law of lease or usufruct, is in its very nature deceptive." [15]

The Imperial Gazette of Berlin made this idea very clear, though in a somewhat blunt manner, when it announced the lease of Kiao-chow: "The Imperial Chinese Government has transferred to the German Government, for the period of the lease, all its sovereign rights in the territories in question."

Dealing with the latter phase of the question, Westlake expressed his opinion in the following way:

> We must agree with Despagnet who, after remarking that the restoration of the territory at the specified time is very unlikely, says that these pretended leases are alienation disguised in order to spare the susceptibility of the state at whose cost they are made.[16]

Now we come to the conclusion that the term in question is a mere diplomatic device "for veiling in decent words the hard fact of territorial cession."

The restoration of the Liao-tung Peninsula, therefore, seen in this light of the legal conception, was not a good bargain for China to make. Unfortunately enough, however, this was not all that China was to suffer. The invitation of foreign intervention was succeeded by the visitation of "land hungers." The dismemberment of the "Second Poland" was thought to have been well under way, and the "Sleeping Lion" seemed to have fallen, before its awakening, the unhappy victim of the delicate "game of grab."

[15] T. J. Lawrence: *Principles of International Law*, 5th edition, pp. 176–177.
[16] J. Westlake: *International Law*, 2d edition, Part I, p. 136.

No state of self-respect in international life would tolerate seeing its parts alienated to other states. In international law, however, it is quite within the power of a state to make any concession it wishes. So, the non-alienation of its territory pledged by a state to other states is, in the legal sense, the function of its sovereignty. Considered from the very nature of the thing, however, it cannot be done without some infringement of the sovereign right on its own part, for, from the very moment the pledge is made, its sovereignty in relation to the leased territory is not free but restricted. Westlake, in his discussion of non-alienation, says:

> By these means the respective stipulating power makes known to the world that it claims, next to the state actually in possession, an interest in the given territory. If the state actually in possession should so completely break up that no fragment of it can be treated as succeeding to its international obligations, the agreement would fall to the ground for want of a party bound by it, but the stipulating power might use against the third states the publicity of the agreement, and the fact that it had long remained without protest by them, as the foundation for a right of succession in the given territory.[17]

Independent of, but simultaneous with, the establishment of the £16,000,000 loan, on the pledge of the *Linkin* or native customs by the Hong Kong and Shanghai Banking Corporation, a British concern, concessions were made on the 9th of February to Great Britain by China. There were three in all:

1. The rivers in China will be opened to British ships from and after June of this year, 1898.

2. Preference will be given to Englishmen as long as the British trade in China remains more than the combined amount of trade of all other countries.

3. Non-alienation of the Yang-tse Valley.

Concerning the third item above mentioned, exchanges of notes were made on the same day between Great Britain and China.

> Your Highness and Your Excellencies have more than once intimated to me that the Chinese Government was aware of the great importance that has always been attached by Great Britain to the retention in Chinese possession of the Yang-tse region; now entirely hers, as providing security for the free course and development of trade.

[17] Westlake: *International Law*, Part I, "Peace," 2d edition, p. 134.

I shall be glad to be in a position to communicate to Her Majesty's Government a definite assurance that China will never alienate any territory in the provinces adjoining the Yang-tse to any other power, whether under lease, mortgage or any other designation. Such an assurance is in full harmony with the observations made to me by your Highness and Your Excellencies.[18]

In reply to this note from the British Minister, the Tsung-li Yamen formulated the counter-note, in which they stated in part:

The Yamen have to observe that the Yang-tse region is of the greatest importance as concerning the whole position (or interests) of China, and it is out of the question that territory (in it) should be mortgaged, leased, or ceded to another power. Since Her Britannic Majesty's Government has expressed its interests (or anxiety), it is the duty of the Yamen to address this note to the British Minister for communication to his Government.[19]

This exchange of notes between Great Britain and China on non-alienation was characteristic of the type of those which came afterwards between China and other powers, just as the German lease treaty of the preceding year was the model of others which followed it.

With the exchange of notes, above quoted, China pledged Great Britain the non-alienation of the Yang-tse region with some restrictions on its sovereignty. This concession on the part of the former became the monopoly of special rights granted to the latter, while it insisted upon its disavowal of the possible concessions and privileges which might otherwise have been allowed, afterwards, to any third power.

On April 10, France secured the promise of China not to alienate to another power the Provinces of Kwangtung, Kwangsi, and Yunnan, and added this avowal to that regarding the Hainan Island, which was made on the 15th of March of the previous year.

By the second and third items of the lease treaty, Germany made the whole Shantung Province its sphere of influence. This situation was voluntarily guaranteed by Great Britain

[18] British Parliamentary Paper, 1898; China, No. 2; State Papers, 1898, No. 85.

[19] British Parliamentary Paper, 1898; China, No. 2; State Papers, 1898, No. 85.

on April 20, 1898, when the information as to the lease of Wei-hai Wei was made to the Berlin Government. Sir F. Lascelles, British Ambassador at Berlin, acting on instructions from his government, stated in his note to Herr von Bülow:

> England formally declares that, in establishing herself at Wei-hai Wei, she has no intention of injuring or contesting the interests of Germany in the Province of Shangtung or of creating difficulties for her in that province. It is especially understood that England will not construct any railroad communication from Wei-hai Wei, and the district leased therewith, into the interior of the province.[20]

Japan, actuated by a desire to follow the fashion of the time. as well as by a sense of self-protection, made, on April 24, 1898, an agreement with China for the non-alienation of the province of Fukien, opposite Formosa, which has much strategic value.

By virtue of the additional agreement signed at St. Petersburg, May 7, 1898, after her lease of Port Arthur and Talienwan, Russia secured the pledge of special privileges.

"The Imperial Chinese Government" in the fifth article "agreed":

> 1. That without Russia's consent no concession will be made in neutral ground for the use of subjects of other powers.
>
> 2. That the ports on the seacoast east and west of the neutral ground shall not be opened to the trade of other powers.
>
> 3. That without Russia's consent no road and mining concessions, industrial and mercantile privileges shall be granted in the neutral territory.[21]

We have so far presented the questions of lease and non-alienation in China granted to foreign powers, which established monopolies of special rights and privileges by each power, out of the resultant conditions of which arose, at length, the Open-Door Policy.

Along with these questions came the railroad problem which made the Oriental policies of the powers still more difficult and complicated. Each treaty of leases stipulated in it the railroad concession allowing the respective lessees to construct

[20] British State Papers, 1899, 92, p. 76.

[21] Hertslet's *China Treaties*, Vol. I, p. 509.

several lines within its leased region or out to the remote central cities under Chinese jurisdiction.

By November, 1898, grants were made to various syndicates as follows:

British	2,800 miles
Russian	1,530
German	720
Belgian	650
French	420
Anglo-American	300
Total	6,420 miles [22]

The difficulties arising from the acute competition among these syndicates for further grants, became so embarrassing that, finally, early in November, the Chinese Government announced an Imperial Edict which refused to accept any applications for the moment. Out of the confusion of the railroad question came the Anglo-Russian Agreement, April 28, 1899. It was an agreement which exerted far-reaching influence on the diplomacy in the Far East.

As has been stated, the Chinese loan of £16,000,000 from Great Britain through the Hong Kong and Shanghai Banking Corporation, on the 9th of February, was primarily intended for the construction of railroads in Manchuria. Russia, knowing that the railroad construction under a British engineer, Mr. Kinder, with English capital was dangerous to her policy, which recently became very promising by dint of her continuous efforts in its behalf, made a strong protest to China. "If China constructs the railroad between Shanghai-kuan to Newchwang with British capital, Russia will be obliged to occupy the region." The London Government became exasperated at this protest against the matter of "the private transactions of a British Bank," and for a while the situation was very critical.

The strain relaxed abruptly when Witte, Russian Minister of Finance, tried to regain the good will of Great Britain to secure a Russian loan in the London market, and when

[22] N. Ariga: *History of Diplomacy of the Last Thirty Years*, Vol. I, p. 624; and International Year Book, 1898, pp. 193–194.

Downing Street found itself already preoccupied by the prospect of war in South Africa.

On April 28, 1899, they exchanged notes which provided:

1. Great Britain engages not to seek for her own account, or on behalf of British subjects or others, any railroad concessions to the north of the Great Wall of China, and not to obstruct, directly or indirectly, applications for railway concessions in that region supported by the Russian Government.

2. Russia, on her part, engages not to seek for her own account or on behalf of Russian subjects or of others, any railway concessions in the basin of the Yang-tse and not to obstruct directly or indirectly, applications for railway concessions in that region supported by the British Government.[23]

The two contracting parties, moreover, expressed their intention to commit no act prejudicial to China's sovereign right or to existing treaties.

In his second note of the same date, Sir C. Scott, British Ambassador at St. Petersburg, pledged Count Mouravieff, Russian Foreign Minister, stating:

But it remains understood that this part cannot be taken as constituting a right of property or foreign control, and that the line in question (the Shanghai-kuan–Newchwang line) is to remain a Chinese line, under the control of the Chinese Government, and cannot be mortgaged or alienated to a non-Chinese company.

The present special agreement is naturally not to interfere in any way with the right of the Russian Government to support, if it thinks fit, applications of Russian subjects or establishments for concessions for railways, which, starting from the main Manchurian line in a southwesterly direction, would traverse the region in which the Chinese line terminating at Shinmintung is to be constructed.

By virtue of this convention, Great Britain allowed Russia's free hand in Manchuria, which was the great blunder committed by the Downing Street authorities. Mr. F. E. Younghusband in his discussion of this convention said:

Russia extended her influence further and further south, and has worked so skillfully and adroitly that, while she has never once during the three centuries of her connection with China gone to war with that country, yet she has acquired an almost predominant influence at Peking, and has so impressed even us, that we are delighted to get an

[23] British State Papers, 1899, p. 92.

assurance from her that she will not build railways in the Yang-tse Valley, considerably more than a thousand miles outside her recognized frontier.[24]

Thus it appeared that British policy in China seemed, for a while, to be "drifting on the misty ocean." She apparently respected the integrity of China and equality of opportunity for the course of peace in the Orient on one occasion and another; when she thought of no other way than to accept the inevitable, she was ready to fall in line with the chancelleries of the continental powers, and adopted the "whatever-becomes-of-China" policy.

Rev. Gilbert Reid, President of the International Institute of China, discussing the British policy in question in his article, "Powers and the Partition of China," said:

> With the growing advance of the other powers, and especially with the increasing influence of Russia at the capital of China, the present Salisbury Government drifted into a policy of passivity. Instead of insisting on maintaining the integrity of China, it excused itself from that task, and insisted on maintaining British interests, whatever became of China. The strong position, sustained in the speeches of Sir Michael Hicks-Beach in the early part of 1898 for the Open-Door, was relinquished for the new theory of "Spheres of Interest" as maintained by the Rt. Hon. A. J. Balfour and illustrated by the agreement made with Russia concerning spheres of railways and mining concessions.[25]

The diplomacy of Lord Salisbury exposed the greatest unsteadiness in the British principles of this period. This skepticism on the part of the British statesman and his colleagues sought the remedy, by turn, in the three most important diplomatic productions of this time. With each one of these the shortsighted diplomats tried in vain to stop "the mighty snowball which the Russian bear set rolling down from the frozen shores of Baikal on to the Yellow Sea,"[26] until the Russo-Japanese War drove the animal back from the fields of Manchuria. The first was the Open-Door Policy of September 6, 1899; the second was the Anglo-German Agreement (concerning China) of October 16, 1900, and the third was the Anglo-Japanese Alliance of January 30, 1902.

[24] *London Times*, June 8, 1899.
[25] *North American Review*, May, 1900, p. 635.
[26] K. K. Kawakami: *American-Japanese Relations*, p. 65.

CHAPTER III

THE POSITION OF THE UNITED STATES

American interests in the Far East—Seward on "The Pacific Ocean" —Impulse of imperialism—Roosevelt on the Pacific era—President McKinley's annual message of December 5, 1898, on Chinese affairs—Lord Charles Beresford's impression of American attitude—Japan's readiness to accept British stand and America's reluctance—Secretary Hay's confidential letter on American position—Success of Russian policy in the three Provinces—Increase of American commerce in China—Determination of the policy.

Up to this time, we have attempted a brief survey of the diplomatic situations of the Powers in the Far East, which constituted most part of the background of the Open-Door Policy. Let us next examine conditions in the United States. In a prophetic speech in the Senate in 1858, William H. Seward emphasized the significance of the Pacific and said: "The Pacific, its shores, its islands and the vast regions beyond, will become the chief theater of events in the world's great hereafter."[1] During these periods the United States was far from being a disinterested party in the questions of the Far East. Towards the close of the Chino-Japanese War, President Cleveland tendered, on November 6, 1894, friendly services to both the belligerents for amicable settlement, and the two American diplomatic advisors on both sides assisted the commissioners in the peace negotiations at Shimonoseki.[2]

Not long after the peace negotiation, however, the United States found herself occupied in the Cuban question. When she finally went to war with Spain on April 21, 1898, her hands were not free, though she kept her vigilant eye with grave concern on the conditions which appeared in China. The Treaty of Paris, December 10, 1898, which was the outcome of her victory over Spain, brought her the Philippine Islands,[3]

[1] J. W. Foster: *A Century of American Diplomacy*, p. 412.

[2] J. W. Foster: *American Diplomacy in the Orient*, pp. 338–343.

[3] "McKinley and Expansion," address by W. H. Taft, at Tippecanoe Club, Cleveland, Ohio, January 29, 1908.

which made her an Asiatic power, with Japan and China as her close neighbors. By this time, the national consciousness and the aspiration of the people made the country drift for some decades from the traditional policy towards Imperialism. "And with it was tolled the knell of those happy days when American statesmen and people, contented themselves with the enormous wealth which nature bestowed upon them, harbored no idea of territorial expansion." [4]

With the annexation in the same year of the Hawaiian Islands and Guam Island, the United States acquired a substantial claim to have a voice in Chinese affairs, and "the eventual participation of America in world affairs was as inevitable as the flow of lava down the slope of a volcano." [5]

Perhaps the spirit of the time is most clearly and ably expressed by Mr. Roosevelt, when he said:

> The Mediterranean era declined with the Roman Empire and the discovery of America. The Atlantic era is now at the height of its development and must soon exhaust the resources at its command. The Pacific era—destined to be the greatest of all, and to bring the whole human race at last into one great comity of nations—is just at dawn. Man, in his migration westward, has at last traversed the whole round of the planet, and the sons of the newest West now stand on the Pacific Coast of America, and touch hands across the greatest of oceans with those ancient races of Asia which have from time immemorial dwelt in their present seats. It is the fate of the American nation to be placed at the front of the turmoil that must accompany this new placing of peoples. I believe the contest will be friendly and peaceful; it surely will be if we keep ourselves so strong that we do not have to fear wrong, and, at the same time, scrupulously respect the rights and feelings of others.[6]

In his annual message on December 5, 1898, just five days before the conclusion of the peace treaty of Paris, President McKinley made an announcement:

> The United States has not been an indifferent spectator of the extraordinary events transpiring in the Chinese Empire, whereby portions of its maritime provinces are passing under the control of various

[4] K. K. Kawakami: *American-Japanese Relations*, p. 63.

[5] A. B. Hart: "Monroe Doctrine and the Doctrine of Permanent Interests" in the American Historical Review, October, 1901, p. 85.

[6] Theodore Roosevelt quoted in Kawakami's *American-Japanese Relations*, p. 65.

European powers; but the prospect that the vast commerce which the energy of our citizens and the necessity of our staple productions for Chinese use has built up in those regions may not be prejudiced through any exclusive treatment by the new occupants has obviated the need of our country becoming an actor in the scene.[7]

He did not thus manifest any opposition to the foreign alienations of Chinese territories, but urged the necessity of the participation of the United States in Chinese affairs in case of any possible infringement by the lessees upon the treaty right of unrestricted commerce hitherto enjoyed in those territories. The message further demanded the protection of her "constantly increasing commerce" in concluding that "it will be my aim to subserve our large interests in that quarter by all means appropriate to the constant policy of our government."[8]

After his mission of investigation of the conditions throughout China for over three months, Lord Charles Beresford visited Japan to sound the sentiment of public opinion concerning the Chinese question. Then he came to the United States, hoping to be able to obtain from the Chambers of Commerce some definite opinions for the Associated Chambers of Great Britain for which he was a representative. The interests of the people of the United States in his mission was intense and demonstrative. He was received "with most unbounded hospitality, kindness, and cordiality," and was welcomed everywhere as an apostle of the Open-Door Policy. All the Chambers of Commerce expressed their hope "that our two countries may always cooperate in the industrial and commercial development of the Far East."[9] At Washington he paid his "respects to the President of the United States and was most hospitably entertained by Mr. Hay, Secretary of State."

However, his chief object of getting "some understanding of a definite character" was not successful. In his "Break-up of China," Lord Charles Beresford described his impressions both in Japan and America on the Open-Door Policy:

[7] J. B. Moore: *Digest of International Law*, Vol. V, p. 533.

[8] J. B. Moore: *Digest of International Law*, Vol. V, pp. 533–534.

[9] Letter to Lord Charles Beresford from Mr. W. P. Wilson, director of Philadelphia Commercial Museum, March 21, 1899.

The attitude taken by the commercial classes in Japan was totally different from that which I found in the United States. Both saw the necessity of keeping the door open in China if full advantage was to be taken of the possible development of American or Japanese trade; but, while on the Japanese side there was every indication of a desire to act in some practical manner in order to secure the Open Door, I could discover no desire on the part of the commercial communities in the United States to engage in any practical effort for preserving what to them might become in the future a trade, the extent of which no mortal can conjecture. On many occasions I suggested that some sort of understanding should exist between Great Britain and the United States for the mutual benefit of the two countries with regard to the future development of trade in China; but, while receiving the most cordial support to this proposal, nothing of a definite character was suggested to me that I could present to the Associated Chambers.[10]

In this state of mind he left New York on board the ship St. Louis towards the end of February, 1899. As we notice, the United States was interested in the question but somewhat reluctant to take part in a decisive movement. We see the attitude of the United States at this time in the instruction sent by Secretary Hay to Mr. Conger, American Minister to China, on the 2d of March, just a few days after Lord Charles Beresford sailed for England.

The instruction reads:

The President of the United States in no case supports the application of a foreign power for a lease of Chinese territory; and the American Minister at Peking is instructed to govern himself accordingly, remaining neutral.[11]

Thus, although public opinion of the country perceived the gravity of the situation, time was not ripe enough, and we had to wait some time for the final move. The most recent publication of "The Life and Letters of John Hay" has furnished us with the light with which we see the views entertained by the Secretary of State himself at this time. A confidential letter by Mr. Hay, written on March 16 to Mr. Paul Dana, Editor of the *New York Sun*, says:

We are, of course, opposed to the dismemberment of that Empire, and we do not think that the public opinion of the United States would

[10] Lord Charles Beresford: *The Break-up of China*, pp. 443–444.
[11] J. B. Moore: *Digest of International Law*, Vol. V, p. 475.

justify this Government in taking part in the great game of spoliation now going on. At the same time we are keenly alive to the importance of safeguarding our great commercial interests in that Empire and our representatives there have orders to watch closely everything that may seem calculated to injure us and to prevent it by energetic and timely representations. We declined to support the demand of Italy for a lodgment there, and at the same time we were not prepared to assure China that we would join her in repelling that demand by armed force. We do not consider our hands tied for future eventualities, but, for the present, we think our best policy is one of vigilant protection of our commercial interests, without formal alliances with other powers interested.[12]

By the exchange of notes on April 28 between Great Britain and Russia, as we have seen, the former recognized the sphere of influence of the latter in the north of China in connection with the right to support Russian subjects and establishments for railway concessions in that region. This agreement gave Russia a free hand to constitute a monopoly of railway establishments, and with it all control of commercial enterprise to the distinct breach of the stipulations of treaties concluded between China and the foreign powers, and thereby seriously affecting the legitimate rights of the American citizens, just as the British notes of one year before allowed Germany the discriminating rights in the Province of Shangtung. Russia, by her subtle diplomacy gained Great Britain's acquiescence, at last, and the Russianization of the Three Eastern Provinces was carried out by most strenuous efforts.

By the strange dispensation of Providence, American commercial activities were destined to take place in Manchuria. According to the report made by the Commission of Customs at Newchwang, American goods there represented about fifty per cent. of the whole foreign import, showing that, at any rate in North China, American trade was increasing in volume and importance.

Thus, for some time, there had been great increase of American commerce in the Orient:[13] "Here, indeed, were magnificent

[12] W. R. Thayer: *Life and Letters of John Hay*, Vol. II, p. 241. As to the review of this work, see Thayer's "John Hay" by J. B. Moore: *Political Science Quarterly*, Vol. XXXII, No. 1 (March, 1917), pp. 119–125.

[13] André Tardieu: *France and the Alliances*, pp. 286–287.

opportunities. Ardent imaginations pictured the countless population of the middle kingdom lighted by American petroleum, working with American tools, and dressed in American cottons." [14] Year after year this imagination bade fair to reach realization. In 1880 American imports from China amounted to almost $22,000,000, but her exports to China were barely over $1,000,000. In 1890 the imports came to about $16,250,000; the exports, just under $3,000,000; in 1900 imports from China rose to $27,000,000 while exports to China $15,250,000; over five times what they were ten years before, and in 1902 exports exceeded imports. "This rapid increase in the sale of American goods made it incumbent on the nation to follow with more attention what was going on in the Far East and, above all, to determine what course to adopt in reference to the break-up of the Chinese Empire which then seemed incumbent." [15]

There were only two policies to be adopted. One was to acquiesce in the present state of affairs and so be in line with the others to join them in the "whatever-becomes-of-China" policy which meant that each would grab as much territory as he could. The second and alternative policy was equal opportunity for the trade of all nations. Should the United States adhere to the former policy—though she might have come into the field rather late to get a good share—it might not have been an impossible task to claim a sphere of influence of her own. Public opinion at home, however, would not tolerate such a radical deviation from the Mt. Vernon traditions. She followed the latter theory, which was styled as the Open-Door Policy which "is but a condensed expression of 'the principle of equal and impartial trade' for all nations." [16]

[14] A. C. Coolidge: *The United States as a World Power*, p. 180.
[15] A. C. Coolidge: *The United States as a World Power*, p. 331.
[16] J. B. Moore: *American Diplomacy, Its Spirit and Achievements*, p. 125.

THE CALENDAR OF THE NEGOTIATIONS FOR THE OPEN-DOOR POLICY

DATE	STATE					
	Great Britain	*France*	*Russia*	*Germany*	*Japan*	*Italy*
1899 September 6	Hay-Choate (Instruction)	Hay-Porter (Vignaud) (Instruction)	Hay-Tower (Instruction)	Hay-White (Instruction)		
September 20			Tower-Mouravieff (Submission of Note)			
September 22	Choate-Salisbury (Submission of Note)					
September 26				White-Bülow (Submission of Note)		
September 29	Salisbury-Choate (On Counsel)					
October						
November 13					Hay-Buck (Instruction)	
November 17						Hay-Draper (Instruction)
November 21		Hay-Porter (Urging the Submission)				
November 24		Delcassé (Speech in the Chambre)				
November 30	Salisbury-Choate (*First Acceptance*)					
December 4				Jackson (Chargé)--Hay (Saying Agreeable)		
December 6	Choate-Salisbury (Hay's Gratification)					
December 9						Draper-Venosta (Submission of Note)
December 16		Delcassé-Porter (*Second Acceptance*)				
December 20					Buck-Aoki (Submission of Note)	
December 26					Aoki-Buck (*Third Acceptance*)	
December 30			Mouravieff-Tower (*Fourth Acceptance*)			
1900 January 7						Venosta-Draper (*Fifth Acceptance*)
January 24				White-Bülow (Inquiry)		
February 19				Bülow-White (*Sixth Acceptance*)		
March 20	Hay-American Representatives (Instructions at the conclusion of the negotiations)					

By S. Tomimas, November 11, 1915

CHAPTER IV

INAUGURATION AND NEGOTIATIONS OF THE OPEN-DOOR POLICY

Secretary Hay's instructions of September 6, 1899, to American Ambassadors to Great Britain, France, Germany and Russia—Ambassador Choate's submission of note, September 22, 1899—Lord Salisbury's reply, September 29—Lord Charles Beresford again in New York in October, 1899—Lord Salisbury's speech at Lord Mayor's banquet, November 9—Ambassador Choate's response in Edinburgh, November 10—First acceptance by Great Britain, November 30, 1899—Secretary Hay's gratification to Lord Salisbury, December 6—M. Delcassé, French Foreign Minister's speech in the Chambre des Députés, November 24—Second acceptance by France, December 16—American proposal to Japan, December 20—Third acceptance by Japan, December 26—Fourth acceptance by Russia, December 30—Count Mouravieff, Russian Foreign Minister—Fifth acceptance by Italy, January 7, 1900—Sixth acceptance by Germany, February 19, 1900—Despatch of Hay's action—Hay's instructions at the conclusion of the negotiations; "final and definitive"—Comment of periodicals.

On September 6, 1899, Secretary Hay sent instructions to the Ambassadors of the United States to France, Germany, Great Britain and Russia (and later to the Minister to Japan and to the Ambassador to Italy) with inclosures of copies of instructions sent on that day for their confidential information. He instructed them to submit informally to the respective governments to which they were accredited a form of declaration outlined in the instructions, asking whether it would meet their approval. These instructions were all of the same tenor with the exception of slight changes necessitated by their different destinations.

The instructions to Mr. Tower, American Ambassador at St. Petersburg, read as follows:

DEPARTMENT OF STATE

Washington, September 6, 1899

Sir:

In 1898, when His Imperial Majesty had, through his diplomatic representative at this capital, notified this government that Russia

had leased from his Imperial Chinese Majesty the ports of Port Arthur, Talien-wan, and the adjacent territory in the Liao-tung Peninsula in northeastern China for a period of twenty-five years, your predecessor received categorical assurances from the Imperial Minister for Foreign Affairs that American interests in that part of the Chinese Empire would in no way be affected thereby, neither was it the desire of Russia to interfere with the trade of other nations, and that our citizens would continue to enjoy within said leased territory all the rights and privileges guaranteed them under existing treaties with China. Assurances of a similar purport were conveyed to me by the Emperor's Ambassador at this capital, while fresh proof is afforded by the Imperial Ukase of August 11 (July 30) last, creating the free port of Dalney, near Talien-wan, and establishing free trade for the adjacent territory.

However gratifying and reassuring such assurances may be in regard to the territory actually occupied and administered, *it cannot but be admitted that a further, clearer, and more formal definition of the conditions which are henceforth to hold within the so-called Russian sphere of interest in China as regards the commercial rights therein of our citizens is much desired by the business world of the United States, inasmuch as such a declaration would relieve it from the apprehensions which have exercised a disturbing influence during the last four years on its operations in China.*

The present moment seems particularly opportune for ascertaining whether His Imperial Russian Majesty would not be disposed to give permanent form to the assurances heretofore given to this government on this subject.

The Ukase of the Emperor of August 11th of this year, declaring the port of Talien-wan open to the merchant ships of all nations during the remainder of the lease which is held by Russia, removes the slightest uncertainty as to the liberal and conciliatory commercial policy His Majesty proposes carrying out in northeastern China and would seem to insure us the sympathetic and, it is hoped, favorable consideration of the propositions hereafter specified.

The principles which this government is particularly desirous of seeing formally declared by His Imperial Majesty and by all the great powers interested in China, and which will be eminently beneficial to the commercial interest of the whole world, are:

First. *The recognition that no power will in any way interfere with any treaty port or any vested interest within any leased territory or within any so-called "sphere of interest" it may have in China.*

Second. *That the Chinese treaty tariff of the time being shall apply to all merchandise landed or shipped to all such ports as are within said "sphere of interest" (unless they be "free ports"), no matter to what nation-*

ality it may belong, and that duties so leviable shall be collected by the Chinese Government.

Third. *That it will levy no higher harbor dues on vessels of another nationality frequenting any port in such "sphere" than shall be levied on vessels of its own nationality, and no higher railroad charges over lines built, controlled, or operated within its "sphere" on merchandise belonging to citizens or subjects of other nationalities transported through such "sphere" than shall be levied on similar merchandise belonging to its own nationals transported over equal distances.*

The declaration of such principles by His Imperial Majesty would not only be a great benefit to foreign commerce in China, but powerfully tend to remove dangerous sources of irritation and possible conflict between the various powers; it would re-establish confidence and security, and would give great additional weight to the concerted representations which treaty powers may hereafter make to His Imperial Chinese Majesty in the interest of reform in Chinese administration, so essential to the consolidation and integrity of that Empire, and *which it is believed is a fundamental principle of the policy of His Majesty in Asia.*

Germany has declared the port of Kiao-chao, which she holds in Shangtung under a lease from China, a free port, and has aided in the establishment there of a branch of the Imperial Chinese maritime customs. The Imperial German Minister for Foreign Affairs has also given assurances that American trade would not in any way be discriminated against or interfered with, as there is no intention to close the leased territory to foreign commerce within the area which Germany claims. *These facts lead this government to believe that the Imperial German Government will lend its cooperation and give its acceptance to the proposition above outlined,* and which our ambassador at Berlin is now instructed to submit to it.

That such a declaration will be favorably considered by Great Britain and Japan, the two other powers most interested in the subject, there can be no doubt. The formal and oft-repeated declarations of the British and Japanese Governments in favor of the maintenance throughout China of freedom of trade for the whole world insure us, it is believed, the ready assent of these powers to the declaration desired.

The acceptance by His Imperial Majesty of these principles must therefore inevitably lead to their recognition by all the other powers interested, and you are instructed to submit them to the Emperor's Minister for Foreign Affairs and urge their immediate consideration.

A copy of this instruction is sent to our ambassadors at London and

Berlin for their confidential information, and copies of the instructions sent to them on this subject are inclosed herewith.

JOHN HAY [1]

Inclosures: To London, September 6, 1899, No. 205.
To Berlin, September 6, 1899, No. 927.

In accordance with this instruction, a form of declaration was tendered by Ambassador Tower on September 20, inviting a response from the Russian Government. The reasoning of the proposals was so skillfully arrayed that the rejection of them meant the exhibition of Russia's ambition detrimental to the interests of other powers, while her acquiescence on the other hand meant the destruction of Russia's tradition of two centuries and "returning empty-handed from a mountain of treasures," as they put it in the Orient.

On September 22, Ambassador Choate communicated a note to the British Government on "a matter which the President regards of great and equal importance to Great Britain and the United States—in maintenance of trade and commerce in the East, in which the interest of the two nations differs not in character, but in degree only." He continued in advocating action on the part of Her Majesty's Government which the President conceives to be "in exact accord with its uniformly declared policy and traditions, and which will greatly promote the welfare of commerce." The Ambassador reviewed the policy of Great Britain as that of freedom of trade and said:

> He (President of the United States) understands it to be the settled policy and purpose of Great Britain not to use any privileges which may be granted to it in China as a means of excluding any commercial rivals, and that freedom of trade for it in that Empire means freedom of trade of all the world alike.[2]

He upheld this not without some paradox of reasoning with regard to the "spheres of interest" and the Open-Door principles.

Her Majesty's Government, while conceding by formal agreements with Germany and Russia the possession of "spheres of influence or interest"

[1] W. M. Malloy: *Treaties, Conventions, International Acts, etc., of the United States*, Vol. I, pp. 256–258.

[2] W. M. Malloy: *Treaties, Conventions, International Acts, etc., of the United States*, Vol. I, pp. 249–251.

in China, in which they are to enjoy special rights and privileges, has at the same time sought to maintain what is commonly called the 'Open-Door' policy, to secure to the commerce and navigation of all nations equality of treatment within such "spheres." [3]

Next, voicing the sentiments of the commercial classes, he said:

The maintenance of this policy is alike urgently demanded by the commercial communities of our two nations, as it is justly held by them to be the only one which will improve existing conditions, enable them to maintain their positions in the markets of China, and extend their future operations.[4]

He then told of the determined attitude and the growing anxiety of the United States.

While the Government of the United States will in no way commit itself to any recognition of the exclusive rights of any power within, or control over, any portion of the Chinese Empire, under such agreement as has been recently made, it cannot conceal its apprehensions that there is danger of complications arising between the treaty powers which may imperil the rights insured to the United States by its treaties with China.[5]

After presenting the declaration under the three identical items which were made to Russia, the American Ambassador urged the necessity of cooperation of the two governments, in concluding:

It is, therefore, with the greatest pleasure that I present this matter to your lordship's attention and urge its prompt consideration by her Majesty's Government, believing that the action is in entire harmony with its consistent theory and purpose, and that it will greatly redound to the benefit and advantage of all commercial nations alike. The prompt and sympathetic cooperation of Her Majesty's Government with the United States in this important matter will be very potent in prompting its adoption by all the powers concerned.[6]

Lord Salisbury, on September 29, acknowledged the receipt of the American note on the 23d of September and informed

[3] W. M. Malloy: *Treaties, Conventions, International Acts, etc., of the United States*, Vol. I, pp. 249–251.

[4] W. M. Malloy: *Treaties, Conventions, International Acts, etc., of the United States*, Vol. I, pp. 249–251.

[5] W. M. Malloy: *Treaties, Conventions, International Acts, etc., of the United States*, Vol. I, pp. 250–251.

[6] W. M. Malloy: *Treaties, Conventions, International Acts, etc., of the United States*, Vol. I, pp. 250–251.

Mr. Choate "that I will lose no time consulting my colleagues in regard to a declaration by Her Majesty's Government and on the proposal that they should cooperate with the Government of the United States in obtaining similar declaration by the other powers concerned."[7] He further assured the American Ambassador that the consistent policy of Great Britain was freedom of trade for all nations, from which policy his government had no intention to depart.

On his return to England Lord Charles Beresford did his best to evoke the opinion of the people for the Open-Door Policy.[8] Later he again came over to America on the same mission. On the 11th of October he addressed the representatives of the Stock Exchange in New York. "So long as England and America work together as friends and brothers, there cannot be any general war in the world" arising from the sphere of interest policy of the powers in China. He was greeted with enthusiastic cheers, as "British Lion!" and "Well done, Condor!" [9]

About one month after this, on November 9, Lord Salisbury at the Lord Mayor's banquet made a speech in which he referred to the relations of Great Britain and the United States:

> For many years past—for several years past—our relations and cordial feelings towards our kinsmen on the other side of the Atlantic have been constantly growing in intensity and force. And, though neither we interfered with the affairs of their continent nor they interfered with the affairs of ours, we feel that now we can always look for sympathy and fair hearing among them who share with us so vast a mission for the advancement of mankind.[10]

The following day, at the Sixth Annual Dinner of the Sir Walter Scott Club in Edinburgh, Ambassador Choate responded:

> . . . this country and my own are connected by bonds of sympathy which were never stronger and closer than at this very hour. . . I am assured your Lord Salisbury's generous and cordial words, uttered last night at the Lord Mayor's banquet, will meet with a quick and hearty

[7] *Ibid.*, Vol. I, p. 251.
[8] *London Times*, March 9 and April 14, 1899.
[9] *London Times*, October 12, 1899.
[10] *London Times*, November 10, 1899.

response upon the other side of the Atlantic. "Peace hath her victories not less renowned than war," and this ironclad friendship that now prevails between these two kindred nations is her last and greatest victory. It means peace not merely between your country and mine, but among all the great nations of the earth. It tends by advancing civilization to promote the prosperity and welfare, not of the Anglo-Saxon race alone, but of the whole human race.[11]

This response was heartily endorsed by the American papers as "a prompt and fitting response to Lord Salisbury's." [12]

On November 30 the British Foreign Minister sent a note to the American Ambassador, which was the first official acceptance of the principle of the Open-Door Policy.

With reference to my note of September 29th last, I have the honor to state that I have carefully considered, in communication with my colleagues, the proposal contained in your excellency's note of September 22d that a declaration should be made by foreign powers claiming spheres of interest in China as to their intentions in regard to the treatment of foreign trade and interest therein.

I have much pleasure in informing your excellency that Her Majesty will be prepared to make a declaration in the sense desired by your government in regard to the leased territory of Wei-hai Wei *and all territory in China which may hereafter be acquired by Great Britain by lease or otherwise, and all spheres of interest now held or that may be hereafter held by her in China*, provided that a similar declaration is made by other powers concerned.[13]

Great Britain for half a century had been the free trade power of the world and, as such, she first maintained the Open-Door Policy in China. She became, however, so skeptical, before the deluge of the Continental Powers upon China, of the feasibility of the doctrine, that she even committed herself to the "spheres of interest." It was a helping hand to her at this critical moment when the United States adopted the English formula of the Open Door. She proclaimed, when she realized, with intelligent appreciation, the value of American aid, that the two peoples had always been the defenders of the Open Door. Thus, indeed, in time of need, "during the temporary effacement of England at the time of the Boer

[11] *London Times*, November 11, 1899.

[12] *New York Times, Evening Post*, November 12, 1899.

[13] W. M. Malloy: *Treaties, Conventions, International Acts, etc., of the United States*, Vol. I, p. 252.

War, she found the chief champion of the policy in the United States." [14] The ready acceptance, therefore, on the part of the British Government was a natural outcome.

Secretary Hay, on receipt of the approval from Great Britain, tendered to Lord Salisbury, on December 6, through Ambassador Choate, "the gratification he feels at the cordial acceptance by her Britannic Majesty's Government of the proposals of the United States." [15]

With this first successful stroke the ice was broken, and France was next to follow. In the Chambre des Députés, however, M. Delcassé expressed on November 24 the sentiments of the Republic on the policy in question. On December 16 he accepted the proposals, announcing to Mr. Porter, American Ambassador at Paris, that "the Government of the French Republic desires throughout the whole of China, and—with the quite natural reservation that all the powers interested give an assurance of their willingness to act likewise—is ready to apply in the territories which are leased to it equal treatment to the citizens and subjects of all nations, especially in the matter of customs duties and navigation dues, as well as transportation tariffs on railways." [16]

On the 20th of December Mr. Beck, American Minister at Tokio, handed the note to the Japanese Government and invited acceptance. "Japan represented in this conflict over the Russian annexation of Manchuria the civilized element, the modern liberal principle of national policy, the promise of pacific development." [17] Perceiving that the move was a complete and hearty concurrence in what she had advocated for several years, and also foreseeing the advantage of cooperation with the United States and Great Britain to check the aggressions of other European powers, Japan was the third to respond to the call of the Open-Door Policy.

Viscount Aoki, Foreign Minister of Japan, sent to Mr. Beck on the 26th of December, just six days after the Ameri-

[14] *London Times*, November 6th. Telegram from Washington, D. C., through the Laffan's agency.

[15] W. M. Malloy: *Treaties, Conventions, International Acts, etc., of the United States*, Vol. I, p. 252.

[16] *Ibid.*, pp. 245–246.

[17] André Tardieu: *France and the Alliances*, pp. 287–288.

can proposal was made at Tokio, November 20, a counter-note, part of which is here quoted:

I have the happy duty of assuring your excellency that the Imperial Government will have no hesitation in giving their assent to so just and fair a proposal of the United States, provided that all the other powers concerned shall accept the same.[18]

Next was Russia's turn. It was bitter medicine for Russia to take. Count Mouravieff made the following response to Mr. Tower on December 30.

. . . In so far as the territory leased by China to Russia is concerned, the Imperial Government has already demonstrated its firm intention of following the policy of the Open Door by creating Dalney (Talien-wan) a free port; and if at some future time that port, although remaining free itself, should be separated by a customs limit from the other portions of the territory in question, the customs duties would be levied, in the zone subject to the tariff, upon all foreign merchandise without distinction as to nationality.

As to the ports now opened or hereafter to be opened for foreign commerce by the Chinese Government, and which lie beyond the territory leased to Russia, the settlement of the question of customs duties belongs to China herself, and the Imperial Government has no intention whatever of claiming any privileges for its own subjects to the exclusion of other foreigners. It is to be understood, however, that this assurance of the Imperial Government is given upon condition that a similar declaration shall be made by other Powers having interests in China.

With the conviction that this reply is such as to satisfy the inquiry made in the aforementioned note, the Imperial Government is happy to have complied with the wishes of the American Government, especially as it attaches the highest value to anything that may strengthen and consolidate the traditional relations of friendship existing between the two countries.[19]

This answer was so worded as to leave its exact meaning obscure, thereby arousing suspicions about Russia's good faith. In St. Petersburg, the American invitation was considered as not being amicable in its intention towards Russia even though it was correct in its form. However, Russia

[18] W. M. Malloy: *Treaties, Conventions, International Acts, etc., of the United States*, Vol. I, p. 256.

[19] W. M. Malloy: *Treaties, Conventions, International Acts, etc., of the United States*, Vol. I, p. 259.

could not dare to use drastic means for the destruction of freedom of commerce and could not stand in opposition to the whole world. An incident which took place some time before her acquiescence and which is described in the "Life of John Hay" is illustrative of the attitude of the Russian Government on the American proposal. Mr. Hay wrote to Mr. Henry White in a letter of April 2, 1900:

> Her Foreign Minister, Count Mouravieff, gave an oral promise to do what France did. Later, he flew into a passion and insisted upon it that Russia would never bind herself in that way; that whatever she did she would do alone and without the concurrence of France. Still, he did say it, he did promise, and he did enter into just the engagement. It is possible that he did so thinking that France would not come in, and that other powers would not.[20]

Italy, which joined next, was the only power to accede without any reservation to the proposal. Viscount Venosta in a note of January 7, 1900, to Ambassador Draper said:

> Referring to your communications and to the statements in my note of December 23d last, I take the pleasure in saying that the Government of the King adheres willingly to the proposals set forth in said note of December 9th.[21]

Last, but not with least reluctance, Germany had to fall in line with other powers in the successful execution of negotiations. The German acceptance was secured "after various conferences at the Foreign Office and communications with the minister of foreign affairs, some more, some less satisfactory." [22]

On December 4, a secretary of state for foreign affairs had a conversation with Mr. Jackson, Chargé, who telegraphed to the Washington Government "that the policies of Germany in the extreme Orient are *de facto* the policies of the Open Door, and Germany proposes to maintain this principle in the future." [23]

On the notice given by the American Ambassador on January 24 of the receipt of "satisfactory written replies from

[20] W. R. Thayer: *Life and Letters of Hay*, Vol. II, p. 243.

[21] W. M. Malloy: *Treaties, Conventions, International Acts, etc., of the United States*, Vol. I, p. 254.

[22] Autobiography of Andrew D. White, Vol. II, p. 158.

[23] W. M. Malloy: *Treaties, Conventions, International Acts, etc., of the United States*, Vol. I, p. 247.

all powers," von Bülow made acceptance in a note of February 19 in which he stated in part:

As recognized by the Government of the United States of America, according to your excellency's note referred to above, the Imperial Government has from the beginning not only asserted but also practically carried out to the fullest extent in its Chinese possessions absolute equality of treatment of all nations with regard to trade, navigation, and commerce. The Imperial Government entertains no thought of departing in the future from this principle, which at once excludes any prejudicial or disadvantageous commercial treatment of the citizens of the United States of America, *so long as it is not forced to do so, on account of considerations of reciprocity, by a divergence from it by other governments.* If, therefore, the other powers interested in the industrial development of the Chinese Empire are willing to recognize the same principles, this can only be desired by the Imperial Government, which in this case, upon being requested, will gladly be ready to participate with the United States of America and the other powers in an agreement made upon these lines, by which the same rights are reciprocally secured.[24]

Thus, in nearly six months after its launching, the Open-Door Policy had smooth sailing, and by the end of February of 1900 all the responses reached the Secretary of State. Not all the powers were prompt in answering the call, though not one dared openly to oppose the doctrine. As Thayer pithily expresses it: "It was as if, in a meeting, he had asked all those who believed in telling the truth to stand up: the liars would not have kept their seats." [25] They all did stand up, but some were liars, and international liars are the worst kind. Moreover, Secretary Hay's program was not entirely without criticism even in his own country. "Some of the American publicists and statesmen regarded this move of Secretary Hay as a dangerous departure from the traditions of the United States. He was accused of committing his country to a policy impossible of attainment by our own independent action, and, if pursued in common with other powers, fraught with the gravest possibilities of those international entanglements with

[24] W. M. Malloy: *Treaties, Conventions, International Acts, etc., of the United States*, Vol. I, p. 249.

[25] W. R. Thayer: *Life of John Hay*, Vol. II, p. 243.

European nations, which it is our historic policy to keep out of." [26]

The most adroit stroke of Hay's diplomacy, however, consisted in the fact that he, when perceiving the condition of affairs both at home and abroad, by quick action seized the opportunity to announce the acceptances by the powers concerned, thus putting a hard and fast seal to the matter of the Open-Door Policy as *fait accompli*. The most recent writer on American diplomacy, discussing "Hay's Leadership," said: "Furthermore, by his prompt action and especially by the manner of it, Secretary Hay established a leadership in the concert of powers which, although entirely temporary and personal, gave dignity and power to our appearance in this new relationship." [27] On March 20 he issued instructions to the American Representatives in the foreign capitals to tender them to the respective governments: Instructions sent *mutatis mutandis* to the United States Ambassadors at London, Paris, Berlin, St. Petersburg, and Rome, and to the United States Minister at Tokio.

DEPARTMENT OF STATE

Washington, March 20, 1900

Sir:

The ———— Government having accepted the declaration suggested by the United States concerning foreign trade in China, the terms of which I transmitted to you in my instruction No. —— of ——, and like action having been taken by all the various powers having leased territory or so-called spheres of interest in the Chinese Empire, as shown by the notes which I herewith transmit to you, you will please inform the government to which you are accredited that the condition originally attached to its acceptance—that all the powers concerned should likewise accept the proposals of the United States—having been complied with, this Government will therefore consider the assent given to it by ———— as final and definitive.

You will also transmit to the Minister for Foreign Affairs copies of the present inclosures, and by the same occasion convey to him the expression of the sincere gratification which the President feels at the successful termination of these negotiations, in which he sees proof of the friendly spirit which animates the various powers interested in

[26] K. K. Kawakami: *American-Japanese Relations*, p. 61.

[27] C. R. Fish: *American Diplomacy*, pp. 456–457.

the untrammeled development of commerce and industry in the Chinese Empire and a source of vast benefit to the whole commercial world.

I am, etc.,

JOHN HAY

(Inclosures): Mr. Delcassé to Mr. Porter (received December 16, 1899) with translation; Mr. Jackson to Mr. Hay, telegram, December 4, 1899; Count von Bülow to Mr. White, February 19, 1900, with translation; Lord Salisbury to Mr. Choate, November 30, 1899; Marquis Viscount Venosta to Mr. Draper, January 7, 1900, with translation; Viscount Aoki to Mr. Beck, December 26, 1899, with translation; Count Mouravieff to Mr. Tower, December 18, 1899, with translation.[28]

No paper in the United States except the *Sun*, "whose pride in American achievement is less than its animosity to the author of the Nicaragua Canal Convention,"[29] spared tribute to this stroke. The *Evening Post* in its issue of March 28 called it "a great achievement, masterly both in design and execution; a work which, had it been in the form of a treaty, would have been spoiled by the jealous mischief-making Senate."[30] The *Tribune* followed on the next day, paying its tribute to Secretary Hay for his successful negotiation of the policy.

The policy, though first adopted and urged by Great Britain, owes its real success to American diplomacy. Great Britain tried to secure the agreement of the powers, but failed owing to European jealousies. The United States took the matter up at that point and carried it through. Our triumph was due to our freedom from European embarrassments, yet, even without them, the difficulties were great. Mr. Hay's success in dealing with them puts him high among Secretaries of State.[31]

We have up to this moment devoted ourselves to an examination of the causes and issues of the Open-Door Policy. Finally we come to the discussion of our subject from a historical as well as a political point of view.

[28] W. M. Malloy: *Treaties, Conventions, International Acts, etc., of the United States*, Vol. I, p. 260.

[29] *London Times*, March 30, 1900.

[30] *New York Evening Post*, March 28, 1900.

[31] *New York Tribune*, March 29, 1900.

CHAPTER V

DISCUSSION OF THE OPEN-DOOR POLICY

Anson Burlingame, precursor of John Hay—Burlingame Treaty of July 28, 1868—Prof. J. B. Moore on "liberation of commerce," a prominent feature of American national policy—Secretary Hay's speech on "American Diplomacy" at the New York Chamber of Commerce, November 19, 1901—"The Monroe Doctrine and the Golden Rule"—"Manifest destiny" and two forms of "westward expansion"—Three kinds of criticism—American note does not oppose further establishment of "lease" and "sphere of influence"—Lord Salisbury's note of acceptance of November 30, 1899—The opinion of Prof. P. S. Reinsch—D. C. Bulger on the Russian method of outwitting the powers at Dalny—Aristotle on possession—The possession-idea—The protection-idea—The monopoly-idea—The exclusion-idea—Development of the Monroe Doctrine—The exclusion policy of Oriental immigration—The California land law question—The Golden Rule and international practice—Westlake and Lawrence on lease—Sphere of influence policy and Open-Door principle are irreconcilable—American withdrawal of extra-territoriality in Kiao-chow on February 3, 1900—Prof. A. C. Coolidge on American experience in the Philippines—Real significance of the Open-Door Policy—"Fair Play"—Open-Door Policy is, after all, a policy—United States and the Open Door in the American continents—The Monroe Doctrine *vs.* the Open-Door Policy—Intrinsic value of the policy—Two phases of human nature—Human conception of justice—Its antagonistic possession-idea—The success of the Policy depends on the whole-hearted cooperation of the Powers—Statesmanship of international vision—Necessity of protection of the Policy—J. A. Hobson on the economic causes of international discords—Creation of international ownership—Internationalization of the possession-idea—Cooperation of the Anglo-Saxon race—Enhancement of American prestige in world politics.

The Open-Door Policy was not novel as an expression of policy by American statesmen, though it has never previously been so frankly adopted as a national policy by the President, Secretary of State, and Ambassadors of the Republic. In 1867 the same policy was proclaimed by an American, Mr. Anson Burlingame,[1] at one time a Senator, at another

[1] F. W. Williams: *Anson Burlingame and the First Chinese Mission to Foreign Powers*, pp. 73–160.

American Minister in China, who tried "to substitute fair diplomatic action for force in China, which policy Mr. Seward approved" with much commendation. In the summer of the next year, a delegation from China came first to Washington with Mr. Burlingame as its head. On July 28, 1868, he and his associates signed with Mr. Seward, Secretary of State, a treaty which is commonly known as the Burlingame Treaty, in the second article of which freedom of trade and navigation was guaranteed:

> The United States of America and His Majesty the Emperor of China, believing that the safety and prosperity of commerce will thereby best be promoted, agree that any privilege or immunity in respect to trade or navigation within Chinese dominions, which may not have been stipulated for by treaty, shall be subject to the discretion of the Chinese Government and be regulated by it accordingly, but in no manner or spirit incompatible with the treaty stipulations of the parties.[2]

Further, by the eighth article, equal opportunity for all the powers "in regard to the construction of railroads, telegraph systems or other material internal improvements" in China was assured:

> With this mutual understanding, it is agreed by the contracting parties that if at any time hereafter His Imperial Majesty shall determine to construct or cause to be constructed works of the character mentioned, within the Empire, and shall make the application to the United States or any other western power for facilities to carry out that policy, the United States will, in that case, designate and authorize suitable engineers to be employed by the Chinese Government, and will recommend to other nations an equal compliance with such application, the Chinese Government in that case protecting such engineers in their persons and property and paying them a reasonable compensation for their service.[3]

The United States, animated by the spirit of equal opportunity and mutual cooperation for the enlightenment of China, introduced the Oriental guests to the family of Europe.

In a confidential note to the Spanish Minister, August 14, 1868, Mr. Seward expressed the hope that the Government of Spain would

[2] W. M. Malloy: *Treaties, Conventions, International Acts, etc., of the United States*, Vol. I, p. 235.

[3] W. M. Malloy: *Treaties, Conventions, International Acts, etc., of the United States*, Vol. I, p. 236.

not be averse to concluding with the Chinese Embassy an engagement similar to that which had been made by the United States. The United States, he declared, had in its intercourse with China no selfish or exclusive object, but, on the contrary, heartily desired the cooperation of other treaty powers under the belief that the steps being taken would surely lead, though perhaps gradually, to such changes in Chinese policy as would be useful to all the powers concerned, including China, and to the general interests of civilization.[4]

With the moral support of the United States, the Chinese commissioners left America for Europe with a view to conducting negotiations with the governments there. "Mr. Burlingame's policy was exactly that now adopted on behalf of the United States. The policy was a wise one when taught by Mr. Burlingame in London in 1868 but it was premature." [5]

After the vicissitudes of world politics of thirty-one years, this once-forsaken policy found its sponsor at last in John Hay, and from long obscurity it made its appearance once more in the broad light of day. Throughout all the periods of the diplomatic history of the United States since the first treaty of 1778 with France, one of the most prominent features has been the struggle for the freedom of commerce. The author of the "American Diplomacy" begins his chapter of "The Contest with Commercial Restrictions" with these words:

When viewed in their wider relations, the early efforts of the United States to establish the rights of neutrals and the freedom of the seas are seen to form a part of the great struggle for the liberation of commerce from the restrictions with which the spirit of national monopoly had fettered and confined it. When the United States declared their independence, exclusive restrictions, both in the exchange of commodities and in their transportation, existed on every side. The system of colonial monopoly was but the emanation of the general principle on which nations then consistently acted, of regarding everything "bestowed on others as so much withholden from themselves. Prohibitions and discriminations were universal." [6]

This philosophy of national monopoly [7] spread all over the

[4] J. B. Moore: *Digest of International Law*, Vol. V, p. 430.

[5] Sir C. W. Dilke Bart: *North American Review*, May, 1900. p. 192.

[6] J. B. Moore: *American Diplomacy*, p. 105.

[7] Adam Smith: *An Inquiry into the Nature and Causes of the Wealth of Nations*, edited by Edwin Cannan, pp. 73–86; Gustav Schmoller: *The Mercantile System and Its Historical Significance*, edited by W. J. Ashley, pp. 46–69; and B. L. Bogart: *Economic History of the United States*, pp. 90–103.

world with the expansion of European institutions. China could not escape being caught by this restriction idea. The three points enumerated by the United States in her program (first, non-interference with any treaty port, or vested interests; second, equal application of the Chinese treaty tariff, and the collection of it by Chinese authorities; third, non-discrimination in harbor and railroad dues)—all come under the "liberation of commerce." Thus the struggle for the Open-Door Policy may be observed as another effort added to many which the United States had made during her national existence for the freedom of commerce.

This idea was most tersely presented by the sponsor of the policy himself, in reply to the toast of "Our Recent Diplomacy" at the dinner of the New York Chamber of Commerce, November 19, 1901.

> We have kept always in view the fact that we are prominently a peace-loving people; that our normal activities are in the direction of trade and commerce; that the vast development of our industries imperatively demands that we shall not only retain and confirm our hold on our present markets, but seek constantly by all honorable means to extend our commercial interests in every practical direction. It is for this reason we have negotiated the treaties of reciprocity which now await the action of the Senate; all of them conceived in the traditional American spirit of protection to our own industries, and yet mutually advantageous to ourselves and our neighbors. In the same spirit we have sought, successfully, to induce all the great powers to unite in a recognition of the general principle of equality of commercial access and opportunity in the markets of the Orient. We believe that "a fair field and no favor" is all we require; and with less than that we cannot be satisfied. If we accept the assurances we have received as honest and genuine, as I certainly do, that equality will not be denied us; and the result may safely be left to American genius and energy.[8]
>
> But if we are not permitted to boast of what we have done, we can at least say a word about what we have tried to do, and the principles which have guided our action. The briefest expression of our rule of conduct, is perhaps, the Monroe Doctrine and the Golden Rule.[9]

During the sixteen years since the inauguration of the Open-Door Policy much comment has been made about its purport

[8] Addresses of John Hay, pp. 122–123.
[9] *Ibid.*, p. 120.

and much criticism has been advanced on its merits and demerits. We hazard nothing in saying that it was merely the protection of the economic interests of the United States [10] that prompted Secretary Hay to the move. The interpretation of history of American expansion [11] will furnish us with the key to solve the question at hand. Under the slogan of "manifest destiny" westward expansion was carried out territorially on a gigantic scale. In the course of some three-score years, a continent, four thousand miles wide, was penetrated to the shores of the Pacific from a strip of land of the thirteen states bordering on the Atlantic. At the close of the last century the United States found herself, beyond the vast expanse of the largest body of water, an Asiatic Power with the Philippine Islands as her new acquisition. The "manifest destiny" in the present century, however, adopted as its "westward expansion" in the Far East, a somewhat less tangible form of economic or commercial expansion over the Asiatic Continent.

He who thinks that the move was induced by purely altruistic motives is nothing but an amateur in international affairs. From the very nature of the existence of a state, such a notion is only a day-dream, and also a great contradiction to political realities.[12] We should bear in mind that international politics, up to the present day, at least, is not international charity work. A recent writer of the "American World Policies" made this point very clear when he observed:

> The phrase the "open door" has a pleasing sound. There can be no doubt that the opening up of China's ports to commerce with all nations on equal terms would be of immediate advantage to us, and probably to

[10] "Interests of the United States in China" by Eiichi Makino in the *Gwaikō-Jihō* (Revue Diplomatique), 1906, No. 98, pp. 21–27, and No. 99, pp. 84–90; and Liu Yen: *Chungkwo-Jinshih-Waikau-Shih* (History of Diplomacy of China in Modern Times), pp. 289–290; and J. A. Hobson's *Imperialism, a Study*, p. 328.

[11] As to American expansion, see Prof. J. B. Moore's *Four Phases of American Development*, Lecture IV, Expansion, pp. 147–203; and W. F. Willoughby: *Territories and Dependencies of the United States*, pp. 3–8; and as to "manifest destiny," see the interesting account of it in the former book, pp. 173–181.

[12] J. W. Burgess: *Political Science and Constitutional Law*, Vol. I, pp. 43–44; and F. Pollock: *History of Political Science*, pp. 22–23; A. T. Mahan: *The Interest of America in International Conditions*, pp. 181–182; and R. G. Usher: *Pan-Germanism*, pp. 247–249.

China herself. Our interest in the matter, however, is frankly selfish. Though we have a kindly feeling for the Chinese, as long as they stay in China, our "open-door" policy is intended in the first instance to benefit our own merchants and investors. The alternative to the "open door" is to permit other nations to divide up China, a proceeding in which we do not care to take part, and to exclude us from certain trade and investment opportunities.[13]

A second critic may say that the move was a dangerous departure from the traditions of American policy. He is another amateur, as long as this stage of world affairs is not an "Old Curiosity Shop." It is a flagrant mistake for the critic to indulge in the belief that a certain policy of a certain person on a certain occasion would hold good in any case at any period and under any circumstances. There may be no doubt that Bismarck was one of the most astute statesmen the world has ever produced, but, at the same time, we agree with Prince von Bülow, when he said, "Bismarck's successor must not imitate, but develop his policy." [14] It is, therefore, but natural to our mind that American statesmen and diplomatists have already played fast and loose with the traditional policy of the Monroe Doctrine.

A third critic may say that the policy was promulgated against the further establishment of spheres of interest in China with the natural aim to maintain the integrity of China. If the powers, when the proposals were made, acquiesced in this suggestion in good faith, it might have been the by-product of what was originally conceived, in our judgment, by the Open-Door principle. The true purport of the policy, however, did not embrace anything more than the "liberation of commerce," so far as the wording of the negotiations is concerned. Mr. Hay's Open-Door program was neither so ambitious nor so political as to admit the theory of the third critic. As we have noticed above, in his speech to the New York Chamber of Commerce, his move was actuated by the desire to bring about freedom of commerce, which was, as he expressed it, "imperatively demanded." Hence, his action was the execution of the spirit of the time which we

[13] W. E. Weyl: *American World Policies*, pp. 213–214.
[14] Prince von Bülow: *Imperial Germany*, p. 16.

have reviewed elsewhere. In our judgment, therefore, the policy had no more than a commercial meaning.

To illustrate our theory, we have here the response made by Lord Salisbury on November 30, which was the first acceptance of American proposals and for which Secretary Hay himself officially expressed "the gratification he feels at the cordial acceptance by Her Britannic Majesty's Government of the proposals of the United States."[15] The note of Lord Salisbury reads in part:

> I have much pleasure in informing your excellency that Her Majesty's Government will be prepared to make a declaration in the sense desired by your Government in regard to the leased territory of Wei-hai Wei and all territory in China which may hereafter be acquired by Great Britain by lease or otherwise, and all spheres of interest now held or *that may hereafter be held by her in China*, provided that a similar declaration is made by other powers concerned.[16]

So, if we justify the theory of the third critic, the United States committed herself to the violation of what, at the very moment of the negotiations, she herself meant to support in allowing Great Britain to maintain "all territory in China which may hereafter be acquired by Great Britain by lease or otherwise, and all spheres of interest that may hereafter be held by her in China." The critic must recognize then the sinking from under him of the foundation of his theory. It is now clear that the United States openly admitted, though not encouraged, the further establishment of both the lease and the "spheres of interest" theory of the powers concerned in China.

Here our most important question arises. *Can the Open-Door Policy be maintained in co-existence with the lease and the "sphere of interest" policies?* Ambassador Choate in submitting the American note of September 6, 1899, to Lord Salisbury on September 22, said:

> Her Majesty's Government, while conceding by formal agreements with Germany and Russia the possession of spheres of influence or interest in China, in which they are *to enjoy special rights and privileges*,

[15] W. M. Malloy: *Treaties, Conventions, International Acts, etc., of the United States*, Vol. I, p. 252.

[16] *Ibid.*, p. 252.

has at the same time sought to maintain what is commonly called the Open-Door Policy to secure to the commerce and navigation of all nations equally of treatment within such sphere.[17]

In this declaration we see the paradox of reasoning which shows the confusion of the two theories. Where a state, allowing the other states equal treatment with itself and maintaining the Chinese treaty tariff, adopts the principle of the Open-Door Policy, what can justify the *raison d'être* of "lease" and "sphere of influence or interest" in which it enjoys "special rights and privileges?" An author, writing his "World Politics" in the early spring of 1900, admitted the possibility of co-existence of these two theories when he said:

The policy of "sphere of influence" is not necessarily opposed to the policy of the "open door." At present, if we may interpret the declarations of the great powers by their course of actions, the term "sphere of influence," in its most extended meaning, refers to a region where a power holds itself specially responsible for security of life and investment, and uses its political influence for the furthering of economic development. *As long as freedom of opportunity is preserved within these spheres, as long as the treaty ports are kept open and their number is gradually increased, the policy designated by the term "open door" is practically in force, even although the policing of the empire may have been divided up among the powers. The fact that a nation is interested in certain portions of China to the extent of desiring to exclude other powers from far-reaching concessions within such territories does not of itself argue that it contemplates the political sovereignty therein.*[18]

However, actual politics of the Powers—in their world-wide expansion in which they applied the method of "missionary-merchant-diplomat-and-soldier process" [19] especially in the helpless East—was actuated more by national interest than by international reason. That real conditions in China already at that time did not admit the justification of the academic theory of the author, is shown by the following description of the Russian method of outwitting the Powers in freedom of commerce and trade.

[17] W. M. Malloy: *Treaties, Conventions, International Acts, etc., of the United States*, Vol. I, p. 250.

[18] P. S. Reinsch: *World Politics*, pp. 184–185.

[19] An interesting discussion of the question is given in the lectures on the "Expansion of Europe" by Prof. W. R. Shepherd at Columbia.

That concession—the recognition of Talien-wan as a free port—has already been nullified by the astute measure sanctioned by the Czar for the creation of a new Russian town to be named Dalny, a name signifying "the remote city." Dalny is to be constructed so as to envelop Talien-wan, by which arrangement the goods landed in "the free treaty port" of Talien-wan can only reach the interior after paying toll at the Russian custom barrier of Dalny. This little incident will show the utter helplessness of any fair and equal arrangement with Russia. She denies, ignores or suppresses the rights of everybody else.[20]

Therefore, the Russian schemes were too wicked as well as treacherous to *preserve freedom of trade* or to *keep treaty ports open.*

At this juncture, we have, for a moment, to consider the possession-idea and its significance in human life. As Aristotle has observed: "Moreover, the pleasure we take in anything is increased beyond expression when we esteem it our own; and I conceive that the individual's affection for himself is by no means casual, but is of man's very nature." [21] In short, things are most enjoyed when they are possessed. Our human actions, both mental and physical, are controlled by the possession-idea. This possession-idea, to safeguard the possession, is of necessity followed by the protection-idea. Again, this protection-idea, to effect the protection, develops, in turn, into the monopoly-idea, which, as a natural consequence, signifies the exclusion-idea. To illustrate this theory, originally founded on "the magic of ownership," for instance, in our individual life, the affection between two persons is most enjoyed when it is most strongly riveted. The attachment of lovers is safeguarded by the protection of legal registration as well as by the marriage ceremony, which signifies the exclusion of outsiders. In international politics, also, this theory is explained by the history of development of the Monroe Doctrine from its inauguration in 1823 till the adoption of the Lodge Resolution in the Senate in 1912 after the celebrated Magdalena Bay episode.[22] Again, both the exclusion of the

[20] "Antagonism of England and Russia," article by D. C. Bulger, appeared in the *North American Review*, June, 1900.

[21] Aristotle's "Politics," ii, 5, 5–8, quoted by F. Pollock in his *History of Political Science*, p. 23.

[22] A. B. Hart: *The Monroe Doctrine: An Interpretation*, p. 235; and H. Kraus: *Die Monroedoktrin*, p. 280.

Oriental immigration from the United States and the Alien Land Law of California, May 19, 1913, are mainly the offspring of the monopoly-idea, which has, as its aim, the protection, from the newcomers, of the abundant natural resources of the country which was occupied by the right of acquisition of the American people.[23]

Of course, it is quite needless to mention that the protection of property is just, so long as the possession is legitimate and so long as the exclusion is within the law of nations.[24] We have to admit, however, that we are not seldom disillusioned in international politics when we expect the Powers to regulate their actions in accordance with "the Golden Rule," which is yet far from being obeyed by all individuals even under the rigid sanction of the sovereign power of the state. Therefore, the four phases of development of human actions in regard to things have been carried out in world politics at the sacrifice of one or the other. This development is, so far at least, the natural though not necessarily enlightened growth of the possession-idea as such. We are confirmed in this belief by the fact that both Westlake and Lawrence, as mentioned elsewhere admit that "lease" and "sphere of interest" "are mere diplomatic devices for veiling in decent words the hard fact of territorial cession." This, we can say, was admitted by the United States, when Secretary Hay instructed Mr. Conger on February 3, 1900, while the Open-Door Policy was in the course of negotiation, to withdraw the American right of extra-territoriality in China

[23] As to an interesting account of this matter, see George Kennan: "How Japan lost her chance in the Pacific," in *The Outlook*, June 27, 1914 (vol. 107, No. 9), pp. 489–493, and as to the candid statement of Japan's attitude regarding the California question, see Baron Kato, then Foreign Minister, on "Japan's Policy," a speech made at a dinner given by the Association Concordia in honor of Professor Shailer Matthews and Dr. Sydney L. Gulick (*The New York Times*, May 6, 1914, Section 5, p. 14, cols. 1–4), and also as to the possible stand Japan might take in regard to this subject in the coming Peace Conference in Paris, reference should be made to the cable by the Associated Press from Tokio, November 20, which says: "Japanese newspapers are suggesting that Japan and China raise the race question at the forthcoming peace conference with the object of seeking an agreement to the effect that in the future there shall be no further racial discrimination throughout the world." (*The New York Times*, November 22, 1918, p. 2, col. 4.)

[24] W. E. Hall: *A Treatise on International Law*, 6th ed., pp. 49–50, 211; and E. Root: *Addresses on International Subjects* ("The Japanese Treaty"), pp. 21–23.

from the Kiao-chow in recognition of the German sovereignty in that sphere of influence.[25] The latter part of the argument of the author of "World Politics" is also utterly refuted by the entire delivery on the part of the United States of her right of jurisdiction over the American citizen and property to the sovereignty of Germany. Therefore, even if the lessee, or the state which enjoys a sphere of interest, admits the application of the Open-Door Policy to the territory in question, the eventual abolition of it is, in the very nature of things, unavoidable. The period of suspension of dominant rights is, at best, transitory until human nature is regenerated. *Here we come to our conclusion that the Open-Door Policy and the "lease" or "sphere of interest" principle, are, in the nature of practical politics, after all, two contradicting theories.* This is what, as the author of the "United States as a World Power" pointed out, came home to the American statesmen to their bewilderment when they found themselves confronted with the problems of the Philippine Islands.

The first application of this principle came in a way that the Americans had not at all expected. When they had embraced the Open-Door Policy, they had not thought that it might apply to them, and by the time that they had acquired colonies as a result of the Spanish War, they had committed themselves to it. How would they act now that the shoe was on their own foot? In Porto Rico and Hawaii, in spite of some grumbling on the part of their English friends, they made no pretense of observing the maxim. But there the situation was simple. In the Philippines it was more complicated. How could the United States proclaim the principles of the Open Door in the Far East, maintaining that Russia should not impose discriminating duties on American wares in Manchuria, or Germany in Shangtung, if, at the same time, it penalized European goods in territories under its control? That it could not was too evident to be well gainsaid: and the treaty of peace with Spain providing that Spanish goods should for ten years be admitted on terms of equality with American has insured an Open Door for that time. But today (1908) Secretary Taft and other friends of the Filipinos are anxious for free trade between the islands and the Republic —free trade which can only mean the application of American tariffs to the Philippines. Beneficial, almost necessary, as this might be, it

[25] Foreign Relations of the United States, 1900, pp. 386–387; J. H. Latané: *America as a World Power*, p. 104.

would seriously weaken the moral authority of the American attitude.[26] It is all very well to explain that the Philippines and China are two very different places, and that the present owners of the Philippines have inherited from the Spaniards the right to make what tariffs they please; such distinctions are seldom convincing to other nations. The Philippines were won by the sword, as Manchuria was won and lost. The sacrifices which they cost were not one tithe of those which Japan made for Korea and Southern Manchuria. The moral position is not very different, except that the United States will soon be unhampered by treaty stipulations or promises to outsiders. Though no other country is in a position to oppose the taking of the Philippines into the American custom union, the act will be resented, and may serve some others as a precedent. At any rate, it will be quoted to show the hollowness of Yankee professions when they clash with Yankee interests.[27]

With the exposition of the policy we come to notice the lack of clearness and distinctness of reasoning; and its prestige in the world politics of the future may not necessarily be very convincing. In our opinion, however, the merits of the Open-Door Policy do not lie so much in clearness of logic or in the consistency of the United States as in the psychological effects upon the European powers at the very moment of its inauguration. All the powers were then under the intoxication of the philosophy of "land hunger,"[28] and pounced upon China when the United States administered a reproof to call them back to their senses. Looking at the situation through the perspective of sixteen years following the inauguration, whether

[26] P. S. Reinsch: *Colonial Administration*, pp. 107–108.

[27] A. C. Coolidge: *United States as a World Power*, pp. 181–183. The same writer, in the discussion of the policy, said in 1914 as follows:

"Morally, too, the stand of the United States in favor of the open door has been somewhat weakened by the recent abandonment of that principle in the Philippines. However beneficial to the Islands closer and privileged commercial relations with the United States may be, the same arguments would apply—and some day may be applied—to Japan and Korea. Furthermore might it not be claimed that reciprocity between Japan and China would be as legitimate and as desirable for both parties as that attempted in 1911 between the United States and Canada? Finally, the arguments that are urged against letting a foreign power obtain for itself special advantages from a helpless China would have no moral standing against the unfettered will of China, mistress of her own destinies." A. C. Coolidge in *Cyclopedia of American Government*, edited by A. C. McLaughlin and A. B. Hart, p. 582; and also see W. E. Weyl: *American World Policies*, p. 215.

[28] "Earth Hunger or the Philosophy of Land Grabbing" (1896), in W. G. Sumner's *Earth Hunger and Other Essays*, pp. 31–64.

the medicine was acid, alkaline or neutral did not matter so long as the desired effect was produced. The real purport of the American move puzzled the European Powers and they staggered for the moment at the sight of their own bloody hands. The Empire of China, now the Chinese Republic, found herself happily escaped from the dismemberment, so imminent at that time. Meanwhile, Japan had time to recuperate and prepare to do justice to any wrong which might occur at her door in the Far East. This was the psychological moment of the Orient.[29] Had the partition of the Chinese Empire taken place, and with it the complete annihilation of the Oriental institutions, Japan and China might have lost forever the opportunity of contributing their share to civilization.

The true spirit of the policy is and always should be "fair play" among the nations in their commercial enterprises everywhere. Then there is no reason in the honest and conscientious transactions among them, that this supreme principle cannot be applied everywhere on earth—not excluding the Continents of both Americas. In the domain of practical politics, however, the Open-Door Policy is, after all, no more a policy in international politics than the Monroe Doctrine is.[30] This fact furnishes us with the explanation of the possibility of the Monroe Doctrine *vs.* the Open-Door Policy as the two foreign policies of the United States not in the same but in the two different regions separated by the Pacific Ocean. We see this idea clearly expressed in the following words:

> Today the "open-door" idea is no longer confined to Asia, since it was accepted at Algeciras as one of the conditions in Morocco. True, it is not applicable everywhere. The United States, for instance, will take good care that it never penetrates to the Western Hemisphere, where it might interfere with Pan-Americanism. Still, it is within the geographical limits to which it applies one of the cardinal principles of American policy. Its maintenance is described as involving trouble and responsibility, but with the expansion of national trade and the keen commercial rivalry which this brings, such trouble and responsibility

[29] J. F. Abott: *Japanese Expansion and American Policies*, pp. 241–242; and P. Collier: *The West in the East*, pp. 518–520.

[30] A. T. Mahan: *The Interest of America in International Conditions*, pp. 181–182.

is unavoidable: it is part of the price which the country has to pay for its new greatness.[31]

Since the Open-Door Policy was launched, the voyage was not necessarily a prosperous one. It had to encounter the test of storm from the quarter of Russia who was the chief transgressor of the doctrine to be expelled solely by the sword of Japan. Other powers have their own transgression to account for.[32] But with all the difficulties and inconsistencies which it encountered, the intrinsic value of the American policy is not affected nor has it been in any way diminished by the lapse of time and growth of experience. The key-note of the policy is its embodiment of "fair play" conceived in human nature, in which, at the same time, we find the destructive force of the very policy in the form of the antagonistic possession-idea. Although these two contradicting phenomena of human nature will continue to appear as an expression of existence of human life itself, yet the ideal for the betterment of international relations among the Powers will survive and continue to grow as the sense of justice moves on to exercise more sway of reason in world politics.[33] *The success of the Open-Door Policy lies, first of all, in creating no more "spheres of interests" in China in the future and also in the cooperation of the Powers for the "fair play" in their transactions. Therefore, its realization depends largely upon the fair statesmanship of international vision in world politics. If, unfortunately, a transgressor of the policy happens to appear on the horizon to close the door to the freedom of commerce, the United States should protect it, as we have said at the outset of this paper, by the dauntless spirit as well as the sufficient force in the people to make the doctrine remain a permanent masterpiece of the achievements of American diplomacy.*

In his discussion of "The Open Door," Mr. J. A. Hobson placed a special significance on the economic discord between the two nations as a cause of war. He said:

> There can be no security of durable peace, unless the chief economic causes of discord among nations are removed. For though the conscious

[31] A. C. Coolidge: *The United States as a World Power*, p. 183.

[32] A. Aoyagi: *Shin-Shina* (New China), pp. 262–272, pp. 336–341; S. K. Hornbeck: *Contemporary Politics in the Far East*, pp. 258–259; and W. F. Johnson: *America's Foreign Relations*, Vol. II, pp. 296–297.

[33] N. M. Butler: The International Mind, pp. 112–114.

motives which incite nations to prepare for war and to engage in it may be self-defense the claims of nationality, the sentiments of liberty and of humanity, the maintenance of public law, behind these motives always lies the pressure of powerful economic need and interests. It is idle to seek to determine the relative strength and importance of these economic and non-economic factors. We need not accept the cynical maxim that "all modern wars are for markets" in order to realize the part which commerce and finance play in fomenting international disputes. But history makes it manifest that all the times the contracts and conflicts between different nations are chiefly due to the attempt of members of one nation, or tribe or other group, to seek its livelihood or gain beyond the confines of its own country.[34]

In this connection, *the suggestion might be advanced to apply the cardinal principle of the Open-Door Policy not only to the commerce of the Powers in China but also to the natural resources of the world to open them up to all mankind without any discrimination whatsoever, so that we can eliminate the possible causes of constant strife among the Powers of the world. This is, under present conditions, beyond all probability, unless there is a remarkable change in human nature*[35] *with the consequent alteration of the possession-idea. However, it will be the ideal of humanity to make man and man live together in harmony in the fruitful pursuit of happiness.*

In concluding this discussion it would be well to point out the noteworthy fact in the modern history of diplomacy that the Anglo-Saxon race on both sides of the Atlantic has often shown a tendency to take concurrent action in world politics. The United States and Great Britain had, and still may have, century-old controversies which are, in the nature of existence of two states, unavoidable. But, as Lord Salisbury put it, "one can always look for sympathy and fair hearing"[36] from the other so long as the two countries are confronted with questions concerning objects common to both.[37] "The

[34] J. A. Hobson on 'The Open Door' in C. R. Buxton's *Towards a Lasting Settlement*, p. 87.

[35] E. Root: *Addresses on International Subjects*, p. 32, and J. B. Moore: 'The Peace Problem', in the *Columbia University Quarterly*, Vol. XVIII, No. 3, June, 1916, pp. 224–225.

[36] Speech at Lord Mayor's banquet, November 19, 1899.

[37] P. S. Reinsch: *World Politics*, p. 225, and J. F. Abott, *Japanese Expansion and American Policies*, p. 249.

two are, after all, of one stock, with a common language, a common literature, the same system of law, the same ideals of government and well-being, the same standard of morality and taste; in short, much the same outlook on life."[38]

That famous episode in the Chinese waters in 1859 between Commodore Tatnall and the British Admiral, Hope, illustrating the fact that "blood is thicker than water," was the natural impulse of human feeling "to give his sympathy to a wounded brother officer."[39] Indeed, the United States may well be said, in one sense, to be the reflection of Great Britain on the Atlantic Ocean, just as Japan is that of China on the Pacific. Now that the former combination during many decades of intercourse has worn off the sharp edge of controversy, there is much reason to believe in the frequency of concerted action on the part of both parties. One might boast that he "called into being the New World to redress the balance of the Old;"[40] the other might profess that "our rule of conduct is the Golden Rule and the Monroe Doctrine." But seen in the light of this kinship of both the English speaking peoples, both the Monroe Doctrine and the Open-Door Policy are but the result of cooperation on the part of the Anglo-Saxon race for the defense of its interests, as well as of its existence against the encroachment of the other European races, the apprehension of which began to be felt from the last decade of the nineteenth century.

It is singular to recall that Russia was one of the chief disturbing factors both in 1823 and in 1899. Her claim to the whole northwestern coast of America had a considerable part in inspiring the decision of the Monroe Doctrine, while her coming down to Manchuria was the strong stimulus to the launching of the Open-Door Policy. It is still more strange, when we consider the English block to the Russian drive for an ice-free port, to notice the fantastic sport of Fate, which made the English Lion drive the Russian Bear to the clutches of the American Eagle.

[38] A. C. Coolidge: *The United States as a World Power*, p. 234, and as to the interesting discussion of the "consciousness of kind," see Prof. F. H. Giddings, *The Principles of Sociology*, p. 180.

[39] J. W. Foster: *American Diplomacy in the Orient*, pp. 247–248.

[40] W. A. Dunning: *British Empire and the United States*, p. 47.

The most remarkable spectacle, however, of international politics is the American Eagle stretching its wing of the Monroe Doctrine over the Atlantic and its wing of the Open-Door Policy over the Pacific, defending itself against the wanton attacks of the European beasts of prey, who cast their eyes over the world seeking game.

American Diplomacy and the Territorial Integrity of China

II

AMERICAN DIPLOMACY AND THE TERRITORIAL INTEGRITY OF CHINA[1]

I

THE BACKGROUND—EXPANSION OF EUROPE

By the close of the last century, 9,500,000 square miles, or more than half of the total area of Asia, with a population of 400,000,000, or four-ninths of the total of the Asiatic races, had fallen into the possession of European powers. This was the result of the expansion of Europe into the Orient. The territorial disposition of China is one of the many questions created by this tremendous world force.

For many years China had been regarded by the Western powers as the great military power in the Far East, and by reason of this mistaken supposition she was able to keep them from more aggressive steps toward her. But her defeat by Japan in 1894–1895 proved fatal. When the inherent weakness in military and administrative efficiency of this "Great Empire" was revealed abroad, the Powers regarded China as an easy prey, and directed their attention from Africa to China. The peace negotiations between Japan and China afforded them an opportunity. Russia, Germany, and France intervened to check the fulfilment of the Shimonoseki Treaty and saved China from being deprived of the Liaotung peninsula by Japan. China's sense of relief, however, was transient, as was Japan's joy of victory. Just as the "honest broker" at the Congress of Berlin (1878) did not transact business gratuitously; so the three friends of China, each in turn, claimed compensation for their friendly efforts, and China was compelled to drink the bitter cup of humiliation. They demanded an avowal from the "Imperial Chinese Govern-

[1] Except for Chapter XII, on "The Significance of Japan's Advance in World Politics," which was written in October, and some minor additions, this paper was awarded the "Einstein Prize in American Diplomacy" by Columbia University on Commencement Day, June 5, 1918.

ment" that "it should in a special manner evidence its appreciation of the friendship which has always been manifested by them." China had nothing to do but to bow to the inevitable. On March 6, 1898, Germany leased Kiao-chow with its hinterland for ninety-nine years; three weeks later, March 27, Russia leased "Port Arthur and Talien-wan with their adjacent waters" for twenty-five years; Great Britain, similarly, Wei-hai Wei "for such time as Russia might remain in Port Arthur"; and May 27, France, Kwang-chow-wan for ninety-nine years. On June 9, China granted Great Britain an extension of the Hong Kong territory. Thus European encroachment was launched in wholesale fashion, and the partition of China for a time seemed well on the way. The disposal of Chinese territory now became a matter of international politics.

By September 6, 1899, conflicts among the Powers, as the consequence of differences regarding their spheres of activity, seemed imminent, when John Hay, Secretary of State of the United States, launched the Open-Door Policy. Destined to become the watchword of American diplomacy in the Orient, it seemed to be the sister policy of the Monroe Doctrine.

Because of Hay's diplomatic action, the powers relinquished ostensibly the idea of dismembering China, but they continued their encroachment by "pacific penetration." The people of China had been feeling uneasy for some time over the changes forced by the pressure of the foreigners.[2] The hostility of the natives primarily to the Germans in the Province of Shantung, and incidentally to all foreigners, now took tangible form in the society which has since come to be known as the Boxers. The cry of "drive out the foreigners and uphold the dynasty" spread like wild-fire throughout almost the entire population of the empire and the resultant uprising led to the horrible massacre of the "foreign devils."

On June 14, 1900, the foreign legations in Peking were attacked and besieged. On June 11, Mr. Sugiyama, councillor of the Japanese legation, and June 20, Baron von Kette-

[2] C. Holcombe: *The Real Chinese Question*, pp. 206–208; J. W. Foster: *American Diplomacy in the Orient*, p. 414; and Liu Yen: *Chungkwo-Jinshih-Waikau-Shih* (History of Diplomacy of China in Modern Times), pp. 291–296.

ler, the German Minister, were shot and killed on their way to the performance of official duties. After that, the outside world ceased to have news from the ill-fated foreigners. On July 2, when the secret agents of Sir Robert Hart, Inspector-General of Customs and Ports, succeeded in reaching Tien-Tsin and sent out the news, "Foreigners are besieged in the British legation—little hope—quick,"[3] the whole world trembled. Punitive expeditions were, accordingly, started for the relief of the legations. The German emperor, whose minister had been shot, sent out with much ceremony an expedition under Count Waldersee, "bidding his soldiers give no quarter, and comport themselves so like Huns that for a thousand years to come no Chinese would dare to look a German in the face." Other powers uttered their wrath more guardedly; but they all probably hoped that the new situation would justify them in dismembering China.[4]

Under these circumstances, it seemed that China was again on the verge of partition. Here for a second time China presented an opportunity for American diplomacy to safeguard the territorial integrity of that country.[5]

[3] As to Minister Conger's message in cipher dated July 16, see *Foreign Relations of the United States*, 1900, p. 156.

[4] W. R. Thayer: *The Life of John Hay*, Vol. II, p. 244.

[5] As to the references in Japanese, see Kin-ichi Omura: Shina-Seiji-Chiri-Shi (Political Geography of China), 2 vols; Yoshiyasu Imai: Shina-Kokusaiho-Ron (International Law in China), 2 vols.; Takamitsu Okawahira: Shina-no-Shinso (The Real Chinese Conditions); Tan Nakajima: Shina-Bunkatsu-no-Unmei (Destiny of Partition of China) and Shina-Kenkyu (Study of China) compiled by the Dobun-kwan.

II

INAUGURATION OF THE AMERICAN POLICY

In the face of the existing crisis, and encouraged by his success in the Open-Door Policy, Secretary Hay issued a circular, July 3, 1900, to all the powers interested in the fate of China.

In this critical posture of affairs of China it is deemed appropriate to define the attitude of the United States as far as present circumstances permit this to be done. We adhere to the policy initiated by us in 1857, of peace with the Chinese nation, of furtherance of lawful commerce, and of protection of lives and property of our citizens by all means guaranteed under extra-territorial treaty rights and by the law of nations. If wrong be done to our citizens, we propose to hold the authors to the uttermost accountability. We regard the condition at Peking as one of virtual anarchy, whereby power and responsibility are practically devolved upon the local provincial authorities. So long as they are not in overt collusion with the rebellion and use their power to protect foreign life and property, we regard them as representing the Chinese people, with whom we seek to remain in peace and friendship. The purpose of the President is, as it has been heretofore, to act concurrently with the other powers: first, in opening up communication with Peking and rescuing the American officials and missionaries, and other Americans who are in danger; secondly, in affording all possible protection everywhere in China to American life and property; thirdly, in guarding and protecting all legitimate American interests; and fourthly, in aiding to prevent a spread of the disorders to other provinces of the Empire and a recurrence of such disasters. It is, of course, too early to forecast the means of attaining this last result; but the policy of the Government of the United States is to seek a solution which may bring about permanent safety and peace to China, *preserve Chinese territorial and administrative entity*,[1] protect all rights guaranteed to friendly Powers by treaty and international law, and safeguard for the world the principle of equal and impartial trade with all parts of the Chinese Empire.[2]

[1] As to the meaning of the disputed phrase 'administrative entity', see Prof. J. B. Moore's article, "Mr. Hay's Work in Diplomacy," *American Review of Reviews*, August, 1905, Vol. XXXII, pp. 174–175, and a letter by Prof. A. S. Hershey to the *New York Nation*, April 27, 1905, Vol. LXXX, p. 330.

[2] *Foreign Relations of the United States*, 1900, p. 299.

It should be remembered, in this note, that Secretary Hay for the first time made it clear that the policy of his government was not only "to seek a solution which may bring about permanent safety and peace to China," but also *"to preserve Chinese territorial and administrative entity."* An eminent international jurist who "happened to be thrown with him (Secretary Hay) at certain junctures, when he was under much stress, as in the summer of 1900," [3] reviewed "Mr. Hay's Work in Diplomacy" in 1905 and said: "What he sought to prevent was the dismemberment of China either by avowed concessions of territory or by arrangements which, under the guise of leases or otherwise, left her a nominal title to her domain, without administrative power or control." [4]

This declaration of the preservation of Chinese territorial and administrative entity was not what was embodied in the Open-Door program of ten months before,[5] but what now became the professed basis of American diplomacy in China. It had a great significance in the history of world politics, as well as in the history of the foreign policy of the United States, and may be viewed as an extension of the protection idea of the Monroe Doctrine over China.[6]

On July 18, this attitude of the United States was reaffirmed by the Secretary of State when he answered an inquiry of Wu Ting Fang, the Chinese minister at Washington, "as to the possibility of obtaining from the treaty powers either a guaranty of the territorial integrity of China or a self-denying ordinance in any action which circumstances may call on them to take in the present disturbed state of the country." [7]

[3] John Bassett Moore: *Political Science Quarterly*, Vol. XXXII, No. 1, March, 1917, p. 125.

[4] J. B. Moore: *American Review of Reviews*, July, 1905, p. 175.

[5] *Foreign Relations of the United States*, 1899, pp. 131–133.

[6] All these questions ultimately lead back to Europe, because the Asiatic questions of the future, except for the influence of Japan, must be settled in the council rooms of the Western world; and the future of China, the fate of Persia, the status of the Pacific islands, are questions which are incapable of permanent solution unless the United States is a party to that solution. Indeed, Wu Ting Fang, Chinese minister, has recently quizzically suggested that, "The Monroe Doctrine being the fixed policy of your Government, the natural logic is that it should be applied to that part of the world where this country has possessions." A. B. Hart: *The Foundations of American Foreign Policy*, p. 229.

[7] *Foreign Relations of the United States*, 1900, p. 279.

In response to your inquiry made this morning on behalf of the Grand Secretary Li Hung Chang, I have the honor to reply that the position and the intention of the United States Government in favor of the territorial and administrative integrity of China are set forth with sufficient clearness in our circular of July 3, that we still hold the same attitude, and that we have ground to believe that similar views are entertained by all the other Powers.[8]

Two days later, on July 20, the Emperor of China made a personal appeal to President McKinley through Minister Wu. The cablegram, dated July 19, said in substance:

The situation has become more and more serious and critical. We have just received a telegraphic memorial from our envoy, Wu Ting Fang, and it is highly gratifying to us to learn that the United States Government, having in view the friendly relations between two countries, has taken a deep interest in the present situation. . . . We address this message to your excellency in all sincerity and candidness, with the hope that your excellency will devise measures and take the initiative in bringing about a concert of the powers for the restoration of order and peace. The favor of a kind reply is earnestly requested and awaited with the greatest anxiety.[9]

To this appeal the President replied on July 23:

I have received your Majesty's message of the 19th of July, and am glad to know that your Majesty recognizes the fact that the Government and people of the United States desire of China nothing but which is just and equitable. The purpose for which we landed troops in China was the rescue of our legation from grave danger and the protection of the lives and property of Americans who were sojourning in China in the enjoyment of rights guaranteed them by treaty and by international law.[10]

He further stated that "the friendly good offices" of the Government of the United States would be "cheerfully placed" at His Majesty's disposition for an amicable settlement on the three following conditions: (1) Chinese Government to give public assurance whether the foreign ministers are alive, and, if so, in what condition; (2) to put them in immediate and free communication with their governments; (3) to cooperate with the relief expedition.[11] The situation in China, however,

[8] *Foreign Relations of the United States*, 1900, p. 279.
[9] *Foreign Relations*, 1901, Appendix, 'Affairs in China', p. 13.
[10] *Foreign Relations*, 1901, Appendix, 'Affairs in China', p. 13.
[11] *Foreign Relations*, 1901, Appendix, 'Affairs in China', p. 13.

was so chaotic that these conditions were not complied with.

Nevertheless, for the successful execution of the new policy, Secretary Hay sent W. W. Rockhill, an able diplomat and skilled in Far Eastern affairs, to China to work in cooperation with E. H. Conger, American Minister at Peking. Before the new commissioner started for China, Secretary Hay gave him the instruction on July 27 and called his special attention to the policy of the United States with these words:

As regards the policy of the United States in China, you will be guided by my instruction of July 3 (1900), and as supplementary thereto by my note to the Chinese Minister in Washington under date of July 19 (18?) and the President's letter, dated 23, to the Emperor of China.[12]

[12] *Ibid.*, p. 14.

III

AMERICAN EFFORTS DURING THE BOXER REBELLION

On August 15, after a dogged defense of fifty days, the besieged foreigners were at last rescued by the international force under Count Waldersee, whose German army was said to have "obeyed with relish the Kaiser's command and played the rôle of Huns in several districts." However, the issue was left to final settlement by diplomatic negotiation. Prince Ching and Li Hung Chang were appointed to open negotiations as plenipotentiaries with the representatives from the allies "in a harmonious way at an early date to the interests and gratification of all concerned." It was not until October 26 that the plenipotentiaries of the powers and of China met in conference.

Meanwhile two events turned out to the advantage of American diplomacy in China. First, on August 29, 1900, in a circular note, Russia stated "that as already repeatedly declared," she had "no designs of territorial acquisition in China, and that the purpose for which the various governments have cooperated for the relief of the legations in Peking has been accomplished, that as the Chinese government has left Peking, there is no need for her representative to remain, that Russian troops will likewise be withdrawn, and that when the government of China shall regain the reins of control and afford an authority with which the other powers can deal and does express a desire to enter into negotiations, the Russian Government will also name its representative." [1] She also expressed the hope that the United States would share the same opinion. It was only ten days after the rescue of the legations, and the situation was too chaotic to allow the withdrawal of the troops. The suggestion was ostensibly an altruistic one, but the real purpose of Russia was as ill-concealed as her ambition.

[1] J. W. Foster: *American Diplomacy in the Orient*, p. 425.

The Government of the United States detected the Russian design and frustrated the idea with the reply "that it did not consider it wise under the circumstances to withdraw the troops until there was a general agreement by the powers."[2]

In the Peking conference the question of the punishment of the instigators became extremely difficult. The Government of Germany, whose minister had been murdered, demanded that "the first and real perpetrators of the crimes be ferreted out," and invited the powers to join in appointing investigators. "The Government of His Majesty the Emperor," said the German circular note of September 10, "proposes to the interested cabinets that they request their representatives in Peking to designate the principal Chinese personages whose guilt in the instigation or execution of the crimes is beyond a doubt."[3]

Of course, the Government of the United States believed the punishment of these individuals to be an essential feature of any effective settlement which "shall prevent a recurrence of such outrages and bring about permanent safety and peace in China." But, at the same time, it upheld with final success the supremacy of the Chinese Imperial authority in the prosecution of the authors of crimes. The American note of September 21, declared:

> It is thought, however, that no punitive measures can be so effective by way of reparation for wrongs suffered and as a deterrent example for the future as the degradation and punishment of responsible authors by the Supreme Imperial authority itself; and it seems only just to China that she should be afforded in the first instance an opportunity to do this, and thus rehabilitate herself before the world.[4]

What had the next most important bearing upon the matter of the territorial integrity of China was the question of indemnities. This was pointed out in the third article of the French Memorandum of October 4, which was put forward as the basis for negotiations. For the solution of this knotty problem, nothing was more urgent than the most effective understanding among the powers. "If each power had acted sepa-

[2] *Foreign Relations of the United States*, 1900, pp. 304, 372.
[3] *Foreign Relations of the United States*, 1900, p. 341.
[4] *Foreign Relations*, 1900, p. 342.

rately respecting indemnities, the one possible method other than a loan, which would have imposed foreign management of the revenues, would have been the occupation of territory by the powers, each one utilizing its own sphere as a source of revenue in payment of claims." [5]

The result would have been prejudicial to the principles embodied in the three clauses of the Open-Door Policy of September 6, 1899, and furthermore, the territorial integrity of China would have been jeopardized. In the face of this danger, the Government of the United States sent a message on November 20 to Mr. Conger stating "that the President is most solicitous that the present negotiations shall not fail, either through the presentation of demands with which it may be impossible for China to comply, or by reason of the lack of harmonious cooperation among the powers.[6]

Again, on November 23, Secretary Hay cabled to the American minister urging the absolute necessity of concerted action of the powers on the question. "A general convention," he observed, "is of the first importance, and when concluded, each power has, of course, liberty to negotiate upon any points not therein expressed." [7]

As to the sum total of the indemnity the United States from the beginning exhibited the most liberal generosity. An estimate was made by Sir Robert Hart, who was advising both parties, that China could not pay more than from 250 to 300 millions. The president favored "the exaction of a lump sum not beyond the limit of China to pay" [8] in order not "to cripple or impede the ability of China in the maintenance of a stable government and its territorial integrity.[9]

Finally by the protocol of September 7, 1901, China agreed to pay the powers an indemnity of 450,000,000 of Haikwan Taels, which was distributed as follows: [10]

[5] J. W. Foster: *American Diplomacy in the Orient*, p. 432.
[6] *Foreign Relations of the United States*, 1900, p. 231.
[7] *Ibid.*, p. 232.
[8] *Foreign Relations of the United States*, 1900, p. 231.
[9] J. W. Foster: *American Diplomacy in the Orient*, p. 432.
[10] J. W. Foster: *American Diplomacy in the Orient*, p. 430.

Country	*Taels*
Russia	130,371,120
Germany	90,070,515
France	70,878,240
Great Britain	50,712,795
Japan	34,793,100
United States	32,939,055
Italy	26,617,005
Belgium	8,484,345
Austria-Hungary	4,003,920
Netherlands	782,100
International (Sweden and Norway, $62,820)	212,490
	450,000,000

How this enormous sum was estimated was not to be ascertained in the public statement. There is no doubt, however, that the estimation was greatly exaggerated on many private claims of questionable validity in international law. Again "it is a striking fact that although the claims of indemnity of each power were ostensibly based on actual cost and damage, those of the continental powers were comparatively greater in amount than were those of the powers specially identified with the Open-Door Policy." [11]

It is gratifying to mention in this connection that the United States decided in 1907 to return China about half of the total sum of $24,168,357 allotted to American claims.[12] By arrangement this refund was to be spent for education of Chinese students in the United States. This is "an act of simple justice" which is rarely practised in the politics of nations. This generous refund of the indemnity of 1907, together with that of 1883 to Japan for the expenses of the naval expedition in connection with the Shimonoseki affairs in 1863, and that of 1885 to China of the indemnity for the damages inflicted upon American citizens during the war between China and Great Britain in 1858, is deservedly credited to "that spirit of justice and equity" of the United States for the elevation of

[11] S. G. Hishida: *The International Position of Japan as a World Power*, p. 217.

[12] But when the actual losses and expenses were computed, on the most generous scale, it was found that they aggregated less than half of that sum, or about $11,000,000. W. F. Johnson: *America's Foreign Relations*, Vol. II, p. 292.

standard of diplomacy.[13] It should also be frankly admitted at the same time, that this magnanimity of the United States will bring political assets of no little importance in the future from students educated in this country. As the "returned students" from the foreign countries and their ardent political ideas were the chief promoter of putting up a new republic on the Chinese soil, in order to find "the reconciliation of government with liberty"[14] the United States will expect rightly many friends among the Chinese students, who will prepare the way for her future policy in the Orient. This may be viewed as a forerunner of "dollar diplomacy" which was to be popularly applied to South America in two years.[15]

All through the weary months of negotiation until the final protocol was made on September 7, 1901, the influence of the United States was plainly noticeable, for it was American diplomacy that upheld through many difficulties the territorial integrity of China, and kept China from being dismembered by the European powers. After these events, Li Hung Chang wrote in his memoirs: "I tremble to think of what might have been China's fate but for the stand taken by the American government."[16]

In view of the success of the United States in this regard, it is somewhat disconcerting to observe what was done in connection with the retrocession of a tract of land at Tientsin. In 1869 this land was laid out for American residents, and the Government of the United States exercised "in a way jurisdiction" over it. In October, 1880, the concession was relegated to its former status, and in 1896, American control was

[13] It may be interesting to the reader to quote here the two following citations which appeared in the title page of Dr. J. B. Scott's recent work: "A Survey of International Relations between the United States and Germany, August 1, 1914–April 6, 1917."

"Know once and for all that in the matter of kingcraft we take when we can, and that we are never wrong unless we have to give back what we have taken."
—Frederick the Great: *Les Matinées Royales*, circa 1764.

"National honor and dignity of the Nation are inseparable from justice."
—Albert Gallatin: *Peace with Mexico*, 1847.

[14] J. W. Burgess: *The Reconciliation of Government with Liberty*, Introduction and pp. 6–8.

[15] As to the discussion of "Dollar Diplomacy," see H. Wilson: *The Peril of Hifalutin*, pp. 240–263.

[16] W. F. Mannix: *Memoirs of Li Hung Chang*, p. 279.

abandoned.[17] Nevertheless, because "the settlement in North China" was not over (February 15, 1901) and final settlement was "a long way off," and because of the existing apprehension that some other powers might occupy the land, Mr. Conger, suggested that "that tract must be left for part of an international settlement or a United States concession, which will be determined when order is restored." [18]

Under the circumstances this course was fully approved by Secretary Hay. Action, accordingly, was taken by Minister Conger for a retrocession of the area to the United States, but since objections were raised by foreign concerns that had interests in that region, "a much larger and unoccupied tract a long way down the river" was offered to the United States by Li Hung Chang.

This offer did not satisfy the American Minister who insisted that the other tract "exactly suited our purpose and was the only tract we desired." After some diplomatic action in an effort to revive the rights over the land in question, however, Secretary Hay became disgusted with the negotiations. On November 27 he sent to Mr. Conger the following instructions:

> In view of the unfitness of the alternatively offered tract for either commercial or military use by the United States, and recognizing the concession difficult in the way of the restoration to use of the former concession, by reason of the tenancies which have been established therein since its abandonment by us, it seems undesirable to press the matter further at present.[19]

Fortunately for the credit of American diplomacy, this attempt came to an end without success. As one writer remarks: "It was indeed curious that when the United States, through force of circumstances, endeavored to deviate just a hair's-breadth from its traditional policy, this was found impossible. Fate seems to have decreed that American Power, to its everlasting credit, should be utterly landless in China." [20]

[17] *Foreign Relations of the United States*, 1901, p. 50.
[18] *Foreign Relations of the United States*, 1901, p. 58.
[19] *Foreign Relations of the United States*, 1901, pp. 58–59.
[20] P. H. Clements: *The Boxer Rebellion, a Political and Diplomatic Review*, pp. 172–173.

IV

THE FIRST GROUPING OF THE POWERS

a. British-German Agreement, October 16, 1900
b. Anglo-Japanese Alliance, January 30, 1902
c. Joint Declaration of France and Russia of March 29, 1902

The first action in line with the American note of July 3, 1900, to prepare the way for the peace negotiations between the allies and China was the British-German agreement. On October 16, 1900, "being desirous to maintain their interest in China and their right under existing treaties," the governments of Great Britain and Germany came to an agreement in regard to their mutual policy in China." Secretary Hay became somewhat skeptical as to the purpose of this agreement, and was "both puzzled and somewhat troubled by the drawing together of England and Germany, because he feared that they intended, at the critical moment, to wring other exactions from China." It came out later that their mutual purpose was to check Russian aggression in Manchuria, and that Germany wished to prevent England from enjoying a monopoly of the Yang-tse Valley trade.[1] According to the second article of this convention:

I. It is a matter of joint and permanent international interest that the ports on the rivers and littoral of China should remain free and open to every other legitimate form of economic activity for the nationals of all countries without distinction and the two governments agree on their part, *to uphold the same for all Chinese territory* so far as they can exercise influence.

II. Her Britannic Majesty's Government and the Imperial German Government will *not on their part make use of the present complication to obtain for themselves any territorial advantages in Chinese dominions*, and will direct their policy toward maintaining undiminished the territorial conditions of the Chinese Empire.

III. In case of another power making use of the complications in China in order to obtain under any form whatever such territorial advantages, the two contracting parties reserve to themselves *to come to a*

[1] W. R. Thayer: *Life of John Hay*, Vol. II, p. 246.

preliminary understanding as to the eventual steps to be taken for the protection of their own interests in China.[2]

In answer to the notification from the German Government (from which the above quotation was taken) Secretary Hay responded on October 29, substantially as follows:

When the recent trouble was at its height, this Government, on the 3d of July, once more announced its policy regarding impartial trade, and the integrity of the Chinese Empire, and had the gratification of hearing that all the powers held similar views. And ever since that time, the most gratifying harmony has existed among all the nations concerned as to the end to be pursued, and there has been little divergence of opinion as to the details of the course to be followed. . . .

Then he concluded with these words:

I have much satisfaction that the President has directed me to express full sympathy with the principles of the two governments.[3]

This was the first and immediate result of the American declaration, in grouping the powers under treaties for the maintenance of the territorial integrity of China. Though its real significance remained to be seen in the extent of their sincerity in the execution of their compact, it greatly increased the prestige of American diplomacy. Mr. Hay, writing about this time, said:

The success we had in stopping that first preposterous German movement when the world seemed likely to join in it, when the entire press of the continent and a great many of this side were in favor of it, will always be a source of gratification. The moment we acted, the rest of the world paused, and finally came over to our ground; and the German Government, which is generally brutal but seldom silly, recovered its senses, and presented another proposition which was exactly in line with our proposition.[4]

The adhesion of Great Britain and Germany to the American territorial-integrity-of-China policy, was succeeded by the Anglo-Japanese alliance of January 30, 1902. The preamble to that treaty reads:

The Governments of Great Britain and Japan, actuated solely by the desire to maintain the *status quo* and general peace in the extreme

[2] *Foreign Relations*, 1900, p. 355.
[3] *Foreign Relations*, 1900, p. 344.
[4] W. R. Thayer: *Life of John Hay*, Vol. II, p. 246.

east, being moreover especially interested in maintaining the independence and territorial integrity of China and the Empire of Korea, and securing equal opportunities in these countries for the commerce and industry of all nations, hereby agree, etc.[5]

Furthermore, the high contracting parties declared "themselves to be entirely uninfluenced by the aggressive tendencies in either country." This defensive alliance between the two island empires, destined to stand the test in a short time, was directed to checking the Russian advance into northern China.

In order to "welcome" the principles of the Anglo-Japanese alliance, the Franco-Russian alliance responded on March 29, with these words:

> The allied Governments of Russia and France having received communication of the Anglo-Japanese convention of January 30, 1902, . . . have found therein with full satisfaction, affirmation of the same principles they themselves have repeatedly declared to be and remain the foundation of their policy.[6]

On the succeeding day the *Journal de St. Pétersbourg*, which was officially inspired, set forth the attitude of the Russian Government with some mixture of sentiments:

> The intention expressed by England and Japan to contribute to the attainment of the objects which have invariably been held in view by the Russian Government cannot fail to meet with the sympathy of Russia in spite of the comments which have emanated from certain political spheres and from sundry organs of the public press, which have endeavored to put the impassible attitude of the Imperial Government in a quite different light as regards a diplomatic instrument which is, in its eyes, in no wise to change the situation of the political horizon.[7]

Hereupon the United States, as a guardian of China, issued a memorandum on March 22, which stated in part:

> The Government of the United States is gratified to see in this declaration of the allied Powers of Russia and France, as in the Anglo-Japanese convention, renewed confirmation of assurance it has heretofore received from each of them regarding their concurrence with views which this government has from the outset announced and advocated in respect to the conservation of the independence and the integrity of the Chinese Empire as well as of Korea, and the mainte-

[5] *Foreign Relations*, 1902, p. 514.
[6] *Foreign Relations*, 1902, p. 933.
[7] *Ibid.*, 1902, p. 933.

nance of complete liberty of intercourse between those countries and all nations in matters of trade and industry.[8]

Since the United States first advocated the territorial integrity of China (July 3, 1900), England and Germany (October 16, 1900), England and Japan (January 30, 1902), and France and Russia (March 19, 1902), and a few others, who were in time to follow, all seconded the motion and fell into line with the chaperon in the delicate function of guiding China in international society.

If they had kept their words in good faith, the world might have been a happier one! The first, however, to open "Pandora's box" was Russia, in 1900–1905; and the second, Japan in 1915. By their action all sorts of evils were set free, and the diplomats and statesmen of the world have been taxed to the utmost to deal with the question of the territorial integrity of China.

[8] *Foreign Relations*, 1902, p. 931.

V

THE FIRST CHALLENGE (RUSSIAN ATTEMPT)

a. Manchurian Convention
b. Evacuation of Manchuria

In the turmoil of the Boxer uprising, Russia perceived an opportune moment for the execution of her national policy of expansion to the open-sea and tried to force China to conclude the Manchurian Convention. During the rebellion, Russia sent a considerable number of soldiers into Manchuria under the pretense of protecting Russian railways in North China. On August 4, 1900, Newchwang was captured and the next morning saw the Russian flag waving on the flag-post of the Chinese custom house. With Manchuria thus virtually in her power, Russia employed her characteristic, subtle diplomacy.

As was noticed in the preceding chapter, Russia showed remarkable leniency toward China in the Peking conference. This attempt of Russia at practical withdrawal from the concert of the Powers was regarded by them as "lamentably mischievous" and "inevitably" raised an ugly suspicion that by taking China's side (in Peking) against the powers, Russia is paying China for Manchuria."[1] Notwithstanding the precautions taken by the powers and the repeated denial from Russia, it was brought to daylight on December 31, 1901, by the report of Dr. Morrison, Peking correspondent of the *London Times*, that a "Manchurian Convention" was signed at Port Arthur on November 22, 1900, between representatives of Tseng Chi, Tartar general, and Vice-Admiral Alexieff, commander of the Russian Pacific squadron.

On March 6, 1901, Sir Ernest Satow, British Minister in Peking, obtained the full text of the convention. "By its terms,[2] Manchuria was to be restored to China, but Russia was to retain a body of troops in Manchuria in addition to those designed for railway protection, until China should have

[1] *New York Tribune*, March 14, 1901.

[2] S. G. Hishida: *The International Position of Japan as a World Power*, pp. 220–221; and also *China, No. 6*, 1901, p. 110.

fulfilled "the last four provisions" of the convention. In case of disturbance, the Russian soldiers were to afford every assistance to China (Article 3); China was to agree not to establish an army, nor to import munitions into Manchuria (Article 4). China was to dismiss those governors and high officials who were antagonistic to friendly relations with Russia; a police force was to be organized by China, but she was not to employ in it the subject of any other power (Article 5); nor were the "subjects of any other power" to be employed "in training Chinese soldiers and sailors in North China" (Article 6). "China's autonomous rights in the city of Chin-Chou" were to be abrogated (Article 7). Mining and railway concessions or leases of land to other powers, in Manchuria, Mongolia, and other domains of Ili, Kashgar, Yarkand, except Newchwang, were forbidden, nor were the Chinese themselves to build railways without Russian consent (Article 8). Russia was to construct a railway from the Trans-Manchurian line in the direction of Peking up to the Great Wall."

It is a source of no little interest for a critic of international politics to compare the text of this Manchurian convention of 1900 with that of the Japanese demands on China in 1915. At the news of this convention, Japan, Great Britain and the United States protested to Russia and warned China against entering into a "separate agreement with an individual power, while negotiations were going on at Peking with the concert of the allied powers." [3] Japan, realizing the danger of the situation, decided to take whatever step might be necessary to meet the growing crisis. Then the Japanese Government asked the Powers jointly to demand that the Anglo-German Agreement of October 16, 1900, should be applied to Manchuria.[4] What is again most interesting to the critic with regard to the Open-Door Policy, as well as to the Territorial Integrity of China, was the position taken by Germany on the application of the Anglo-German Agreement.

Not long after the conclusion of the Agreement with Great Britain, Germany realized her blunder in offending Russia and

[3] *China, No. 6*, 1901, pp. 41, 78, 107, 108.
[4] *Annual Register*, 1901, p. 367.

France in the entente, at her doors in Europe, by opposing Russia's advance in the regions where there is no conflict with German interests. At the rise of the threatening clouds from the north Germany had to listen once more to the ringing words of warning of the dismissed "Pilot." As if the tacit understanding had been reached by the beginning of 1901 between Russia and Germany,[5] the *König Zeitung*, which was officially inspired, stated in its issue of January 4 that there existed no doubt from the outset of negotiations that Manchuria was outside of "their own interests."

In his famous speech in the Reichstag on March 15, 1901, Count von Bülow, German Chancellor, made the statement in substance as follows:

> The Anglo-German agreement has no reference to Manchuria. (Hear, hear and sensation.) . . . I can now add that during the negotiation which led to the conclusion of this agreement, we left no room for any doubt that we did not take it as applying to Manchuria. As regards the future of Manchuria, really, gentlemen, I can imagine nothing which we regard with more indifference. (Hear, hear on the Right.)

This is the unqualified denial of the first clause of the agreement which was concluded only five months before, and he continued to affirm that German and Russian aims could very well exist together and that there was "no more question in China of sharp or even irreconcilable antagonism between the two Powers than there is anywhere else."

The German Chancellor sinisterly called the agreement the "Yang-tse Agreement" and further said in utter disregard of the cooperation pledged by the two contracting parties in the third clause:

> I consequently declare emphatically that we support in China solely German interests, leaving it to the British to guard their own.[6]

There has been of late much talk about the German breach of the Treaty of April 19, 1839, guaranteeing the neutrality of Belgium by her forceful entry into Belgian territory on August 4, 1914. It should be kept in mind, however, that the

[5] N. Ariga: *History of Diplomacy of the Last Thirty Years*, Vol. II, pp. 223–224.

[6] *London Times*, March 16, 1901.

"scrap of paper" has been the occasional practice of Germany and other powers in international politics.[7]

At any rate, Great Britain "put her money on the wrong horse," and expected in vain that the agreement would resist the aggrandizement of Russia in Manchuria. Under these circumstances, Great Britain [8] found no other course left than to try her fortune with Japan, who extended a welcome hand in alliance against Russia. The consequence was the Anglo-Japanese Alliance of January 30, 1902.

On March 25, 1901, Japan demanded from Russia that the Manchurian Agreement should be submitted for consideration to the Peking conference. Russia refused by stating that in regard to the matter which is still in the course of negotiation between China and Russia, the latter is not inclined to discuss it with any third power. However, in face of the firm protest lodged by Japan, as the result of a council of the Elder Statesmen on April 5, Russia announced on April 6 the temporary withdrawal of the agreement.[9]

On August 14, Sir Ernest Satow reported again from 'a thoroughly trustworthy source' that Russia was resuming the negotiations with China to sign the amended Manchurian convention of November of the preceding year. At this the powers again guarded against the Russian move and advised China "to call the attention of the powers to the matter and to communicate the text of the provisions in question, should they prove inconsistent with the treaty obligation of China to other powers or with the integrity of the Empire." [10] Russia did not appear this time to force China with great pressure. About one month after the Peace Protocol of Peking of September 7, 1901, China took the initiative to bring about a convention of evacuation with Russia. The negotiations were carried out in great secrecy from October 5 between Li Hung Chang and M. Lessar, Russian Minister

[7] Sir Harry Johnson: *Common Sense in Foreign Policy*, p. 89; and John Bigelow: *Breaches of Anglo-American Treaties*, preface.

[8] A. Debidour: *Histoire Diplomatique de L'Europe, Depuis le Congrès de Berlin jusqu'à nos jours*, 1917, Première partie, p. 275.

[9] N. Ariga: *Diplomacy of the Last Thirty Years*, Vol. II, pp. 227–229; and *China, No. 6*, 1901, pp. 169–170.

[10] *China, No. 2*, 1904; *No. 41*, August 16.

at Peking. The new convention, with comparatively mild terms imposed on China, bid fair to reach a successful conclusion, when it was repealed on October 30 by the order of the Emperor and the Empress Dowager, who acted in accordance with the counsel from the Viceroys Liu and Chang, warning against the fear "that other powers will probably seek similar exclusive advantage in other parts of the Chinese Empire."

Li Hung Chang,[11] "Grand Old Man of China," was "the greatest of Oriental statesmen and one of the most distinguished of the public men of the world." However, he had already reached, by this time, the eighth year past the Psalmist's first limit of age and he knew that his remaining life was not long. Towards the end of the Peking conference he wrote in his diary on August 18: "I fear the task before me is too great for my strength of body, though I would do one thing more before I call the earthly battle over. I would have the foreigners believe in us once more and not deprive China of her national life." [12] At the repeal of the third negotiation he was prostrated in despair. Nevertheless, he is said, until his last moment, to have appealed to M. Lessar on his sick-bed to save his country.[13] On November 7, the colossal pillar of the falling empire fell, leaving the country to the unknown future. Such has been the fate of many a statesman in the annals of history.

On December 3, 1901, Mr. Conger reported "the return of Prince Ching with authority to sign the Manchurian Convention," and he also stated "that English and Japanese ministers are warning China not to sign and further inquired what action, if any, he shall take." [14] Three days after, on December 6, Secretary Hay instructed Mr. Conger to advise Prince Ching "that the President trusts and expects that no arrangement which will permanently impair the territorial integrity of China or injure the legitimate interests of the

[11] J. W. Foster: *Diplomatic Memoirs*, pp. 124.

[12] W. F. Mannix: *Memoirs of Li Hung Chang*, p. 247.

[13] K. Asakawa: *The Russo-Japanese Conflict*, p. 191; and Liu Yen: *Chung-kwo-Jinshih-Waikau-Shih* (History of Diplomacy of China in Modern Times), p. 355.

[14] *Foreign Relations of the United States*, 1902, p. 271.

United States, or impair the ability of China to meet her international obligations, will be made with any single power."[15] On December 11, Prince Ching disclosed to Mr. Conger the contents of the Russian proposals.[16] On January 27, 1902, he told the American Minister that "he had used every effort in his power to come to some agreement with Russia whereby the evacuation of Manchuria might be secured without the great sacrifice on the part of China, which Li Hung Chang had agreed to," and that "he had secured some very material concessions on the part of Russia, but they would yield no further, and he was convinced that if China held out longer, they would never again secure terms as lenient." He continued that "the Russians are in full possession of the territory of (Manchuria), and their treatment of the Chinese was so aggravating that longer occupation was intolerable; they must go out, and that the only way left for China to accomplish this was to make the best possible terms." He concluded that "the only terms that Russia would consent to were the signing of both the convention and the Russo-Chinese Bank Agreement."[17] About this time "both the Japanese and British Ministers made like representations, though the Japanese Minister made a much stronger protest."

On February 1, 1902, Secretary Hay gave instruction to Mr. Tower, American Ambassador at St. Petersburg, to warn Russia against the new Russo-Chinese convention.

He said in substance:

> . . . that the Government of the United States can view only with concern an agreement by which China concedes to a corporation the exclusive right to open mines, construct railways, or other industrial privilege; that such monopoly would distinctly contravene treaties of China with foreign powers, affect citizens of the United States by restricting rightful trade and tend to impair sovereign rights of China and diminish her ability to meet international obligations; that other powers will probably seek similar exclusive advantage in other parts of the Chinese Empire, which would wreck the policy of absolutely equal treatment of all nations in regard to navigation and commerce in the Chinese Empire; and that, moreover, for one power to acquire

[15] Foreign Relations of the United States, 1902, p. 271.
[16] *Ibid.*, 1902, p. 272.
[17] *Ibid.*, 1902, pp. 273–274.

exclusive privilege for its subjects conflicts with assurances repeatedly given to the Government of the United States by the Russian ministry for Foreign Affairs of a firm intention to follow the policy of the open door in China as advocated by the United States and accepted by all the powers having special interests in China.[18]

The most interesting document which gives an insight into the Russian attempt is the reply of February 9 by Count Lamsdorff to the American protest to Ambassador Tower. The Russian Foreign Minister, in defiance of American opposition, said at the outset that Russia "feels herself bound to declare that negotiations carried on between two entirely independent states are not subject to be submitted to the approval of other powers," and further stated the Russian challenge rather frankly, though couched in guarded terms. He said:

> There is no thought of attacking the principle of the "open door" as that principle is understood by the Imperial Government of Russia, and Russia has no intention whatever of changing the policy followed by her in that respect up to this present time. If the Russo-Chinese Bank should obtain concessions in China, the agreements of a private character relating to them would not differ from those heretofore concluded by so many other foreign corporations. But would it not be very strange, if the "door" that is "open" to certain nations should be closed to Russia, whose frontier adjoins that of Manchuria and who has been forced by recent events to send her troops into that province to establish order in the plain and common interest of all nations? It is true that Russia has conquered Manchuria, but she still maintains her firm determination to restore it to China and recall her troops as soon as the conditions of evacuation shall have been agreed upon and the necessary steps taken to prevent a fresh outbreak of troubles in the neighboring territory.
>
> It is impossible to deny to an independent state the right to grant to others such concessions as it is free to dispose of and I have every reason to believe that the demands of the Russo-Chinese Bank do not in the least exceed those that have been so often formulated by other foreign companies.

Then, he emphasized the determination of the Russian Government by saying "that under the circumstances it would not be easy for the Imperial Government to deny to Russian

[18] *Foreign Relations of the United States*, p. 275.

companies that support which is given by other governments to companies and syndicates of their own nationalities." In conclusion, he said "that there is not, nor can there be, any question of the contradiction of the assurances which, under the orders of His Majesty the Emperor, he has had occasion to give heretofore in regard to the principles which invariably direct the policy of Russia." [19]

It has been mentioned already that Germany gave its whole-hearted approval of the Russian policy in Manchuria by the speech of Chancellor von Bülow in the Reichstag on March 15 of the preceding year (1901). It should also be noticed that a complete understanding was effected in the course of that year on the Chinese question between France, Germany and Russia as the result of the visit of M. Delcassé, French Foreign Minister to the court of St. Petersburg in April and the visit of the Russian Emperor to Germany and France in September.[20] Therefore the reconciliation achieved in Europe made Russia pursue its vigorous policy in China with accelerated velocity. However, the Russian voyage of expansion was not at all a prosperous one. It was wrecked by the counter-blow of a new alliance which brought at last the final destruction of the Russian attempt in Manchuria. The author of "The Russo-Japanese Conflict" described the diplomatic situation of that time with these words:

> Negotiations lagged, China probably declining to sign under the remonstrances of Great Britain, the United States, and Japan. On March 2, Prince Ching showed Mr. Conger a draft of his new counter-proposals, which Japan was said to have wholly, and Great Britain in the main, approved. These proposals are interesting for their practical identity, save a slight difference, with the final Russo-Chinese Convention of April 8, 1902. . . . This fact is a conclusive evidence that after March, Russia suddenly accepted nearly all the counter-proposals made by China. This abrupt condescension on the part of Russia is supposed to have been partly due to an important event which had recently taken place in the diplomatic world—the conclusion of the Anglo-Japanese Agreement signed at London on January 30, 1902, and

[19] *Foreign Relations of the United States*, 1902, p. 929.

[20] N. Ariga: *History of Diplomacy of the Last Thirty Years*, Vol. II, pp. 232–259; and A. Debidour: *Histoire Diplomatique de L'Europe, Depuis le Congrès de Berlin jusqu'à nos jours*, 1917, Première partie, p. 276.

simultaneously announced in Parliament and the Imperial Diet of Tokio on February 12. [21]

In the meantime the question of the evacuation of Manchuria by the Russian troops had gradually assumed great importance. The repeated pledges on the part of Russia seemed very fictitious. By April 8, 1903, the date set for the second evacuation of the remainder of the provinces of Mukden and Kirin, it had become evident that not even a nominal withdrawal was intended. Moreover, Russia seized the customs and the municipal administration of treaty ports, and in the beginning of May occupied the forts at the mouth of the Lias River.[22] On April 18, 1903, Russia made the so-called 'seven additional demands' [23] upon China as a condition for the completion of the process of evacuation. "These were of a highly exclusive nature and included stringent measures for closing Manchuria to the economic enterprise of all foreigners except Russians and for preventing the opening of new treaty ports in Manchuria without the consent of Russia." [24]

This move on the part of Russia evoked again firm representations on the part of Japan, Great Britain, and the United States. On April 28, Count Lamsdorff, Russian Foreign Minister, in an interview with Mr. McCormick, American Ambassador at St. Petersburg, denied most emphatically that such demands had been made by the Russian Government.[25] On the same day Lord Lansdowne, British Foreign Minister, in a communication to Sir Michael Herbert, British Ambassador at Washington, expressed the desire and intention of the British Government "to act in accordance with what we perceive to be the doctrine of the United States, namely, to open China partially to the commerce of the whole world, to maintain her independence and integrity, and to insist upon the fulfillment of treaty and other obligations by the Chinese

[21] K. Asakawa: *The Russo-Japanese Conflict*, p. 196.
[22] *China, No. 2*, 1904, p. 63.
[23] *Foreign Relations*, 1903, pp. 56–58.
[24] A. S. Hershey: *International Law and Diplomacy, Russo-Japanese War*, p. 33.
[25] *Foreign Relations*, 1903, pp. 709–710.

Government which they have concluded towards us."[26] With the moral support of Japan, Great Britain and the United States, therefore, China sent the text of the seven demands back to Russia, who in the face of the difficulties of the situation, had to withdraw, much against her wishes.

Notwithstanding the withdrawal of the demands and also the disavowal of Count Lamsdorff, Russian ambitions did not cease. Count Cassini, Russian Ambassador at Washington, who was "in no humor to be a safe counsellor to Lamsdorff," made an admission of Russian ambitions in China in his remarkable interview which appeared in the New York *Tribune* of May 1, 1903. A few days later, when warned by Secretary Hay against aggressive action by Russia, he went so far as to exclaim: "The dismemberment of China is already done. China is dismembered and we are entitled to our share."[27] That famous episode may be recalled in this connection of the design against the "sick man of Europe," which Nicholas I so ingeniously proposed in the English Court in 1844, in an effort to bring about concerted action between Russia and England to dismember Turkey.[28]

What is most interesting at this juncture is the letter dated May 22, from Secretary Hay to Henry White, which reveals the delicate situation behind the diplomatic curtain. It states in substance:

> If they choose to disavow Plancon (the Russian Chargé d'Affaires at Peking) and to discontinue to violate their agreements, we shall be all right; but if the lie they told was intended to serve only a week or two, the situation will become a serious one. The Chinese as well as the Russians seem to know that *the strength of our position is entirely moral*; *and if the Russians are convinced that we will not fight for Manchuria—as I suppose we will not*—and the Chinese are convinced that they have nothing but good to receive from us and nothing but a beating from Russia, *the open hand will not be so convincing to the poor devils of Chinks as the raised club.* Still we must do the best we can with the means at our disposal.[29]

[26] *China, No. 90*, 1904.

[27] Hay's letter to Roosevelt, March 12, 1903.

[28] *Parliamentary Papers*, 1854, Vol. LXXI, Part 6; and also C. A. Fyffe: *History of Modern Europe*, pp. 826–827.

[29] W. R. Thayer: Vol. II, p. 369.

About this time the United States was trying, in accordance with the protocol of September 7, 1901, to extend the scope of her commercial activity in Manchuria. The American effort [30] to open certain cities to international trade and settlement were met by strong opposition from Mr. Plancon. By the utmost directness in communication with St. Petersburg, Secretary Hay finally succeeded in making the Russian Government acquiesce. On October 8, 1903, the date set for the final evacuation of Manchuria, the United States concluded a treaty with China, which secured the opening of Mukden and Antung in Manchuria to foreign commerce.[31] On the same day, as if Japan and the United States had been united in opposition to the Russian move, Japan concluded a commercial treaty with China, which provided for the opening of Mukden and Tatung-kao to trade and commerce.

Towards the end of the year of 1903, however, the situation in Manchuria became stringent, and when the third proposal of Japan met with no response, the question of the territorial integrity of China proved to be beyond diplomatic parley. Japan, after long consideration, took the sword to solve the problem.

[30] W. F. Johnson: *America's Foreign Relations*, p. 294.

[31] *Foreign Relations*, 1903, pp. 56–77; and J. H. Latané: *America as a World Power*, p. 114.

VI

AMERICAN EFFORTS DURING THE RUSSO-JAPANESE WAR

a. The American Circular of February 10, 1904
b. The American Circular of January 13, 1905

Actual war between Japan and Russia broke out on February 8, 1904. Two days later, on February 10, in his circular note to American representatives at Tokio, St. Petersburg and Peking, Secretary Hay wrote:

> You will express to the Minister of Foreign Affairs the earnest desire of the Government of the United States that in the course of the military operations which have begun between Russia and Japan *the neutrality of China and in all practicable ways the administrative entity shall be respected by both parties*, and that the area of hostilities shall be localized and limited as much as possible, so that undue excitement and disturbance of the Chinese people may be prevented and the least possible loss to commerce and peaceful intercourse of the world may be occasioned.[1]

On February 13, Baron Komura, Japanese Foreign Minister, responded to the American note, expressing the willingness of the Japanese Government "to respect the neutrality and administrative entity of China outside the regions occupied by Russia as long as a similar engagement be fulfilled by the government of Russia."[2] In the reply of the Russian Government, February 19, it signified a willingness to respect the neutrality of China on three conditions: first, with China's strict observation of all the duties of neutrality; second, Japan's loyal observance of the engagements and of the law of nations; and, third, non-extension of neutralization to Manchuria.[3]

Several large loop-holes were thus left open by Russia, it may be said, as a means of escape from obligations in case such were desirable. Both Japan and Russia, however, on the whole accepted the main principle of the Hay note,

[1] *Foreign Relations of the United States*, 1904, p. 2.
[2] *Ibid.*, 1904, p. 420.
[3] *Ibid.*, 1904, p. 724.

namely, the maintenance of the neutrality and the administrative entity of China. During the struggle of eighteen months, numerous disputes occurred regarding neutral rights and obligations as between neutral China and the belligerents, Japan and Russia. The situation was more complicated by the anomalous position of China, whose province of Manchuria was the chief seat of the fighting. However, as one writer says:

> None of the alleged violations of the Chinese territory were of such a serious or dangerous character that they might not have been settled by diplomacy or arbitration, or, as Secretary Hay suggested in a note to Count Cassini, by a conference of the powers. In international, as well as in other relations, prevention is often better than cure, and the Hay note, backed by subsequent representations, must be held to have at least contributed toward the prevention of serious violation of Chinese neutrality and to have already aided in preventing serious international complication leading to possible international catastrophe.[4]

Toward the close of the first year of conflict, rumors of peace were current in Europe, and Japan guarded herself, after the experience bought so dearly in 1895, against being deprived, this time, of the fruits of her victory. Germany's position [5] during the Russo-Japanese War became somewhat isolated from that of the other great powers and she feared that "they were bent on cutting up China without giving Germany an equal chance at the spoils."

One fine day the Kaiser released the *Ballon d'essai*. Baron Speck von Sternberg, German Ambassador at Washington, sent a message to the President, January 5, 1905, expressing the gratification of the Emperor over the President's policy of the actual integrity of China. "Close observation," he said, "has firmly convinced him that a powerful coalition, headed by France, is under formation directed against the integrity of China and the Open Door. The aim of this coalition is to convince the belligerents that peace without compensation to the neutral powers is impossible." To prevent this coali-

[4] A. S. Hershey: *International Law and Diplomacy during Russo-Japanese War*, p. 268.

[5] C. J. H. Hayes: *A Political and Social History of Modern Europe*, Vol. II, p. 701.

tion, according to the German Ambassador, the United States should ask the powers concerned "whether they are prepared to give a pledge not to demand any compensation for themselves in any shape, of territory or other compensation in China or elsewhere, for any service rendered to the belligerents in the making of peace or for any other reason." [6]

The President was occupied for a few days with the German Emperor's proposition. The government of the United States finally decided to take advantage of the proposal, "first, to nail the matter with the Kaiser, and second, to ascertain the views of the other powers."

For the third time (the first and second being July 3, 1900, and February 10, 1904, respectively) an American circular was despatched on January 13, 1905, in incessant efforts "to preserve the territorial integrity of China."

> It has come to our knowledge that apprehension existed on the part of some of the powers that in the eventual negotiations for peace between Russia and Japan, claims may be made for the concession of Chinese territory to neutral powers. The President would be loath to share this apprehension, believing that the introduction of extraneous interests would seriously embarrass and postpone the settlement of the issues involved in the present contest in the Far East, thus making more remote the attainment of that peace which is so earnestly to be desired. For its part the United States has repeatedly made its position well known, and *has been gratified at the cordial welcome accorded to its efforts to strengthen and perpetuate the broad policy of maintaining the integrity of China and the "open door" in the Orient*, whereby equality of commercial opportunity and access shall be enjoyed by all nations. Holding these views, *the United States disclaims any thought of reserved territorial rights or control in the Chinese Empire*, and it is deemed fitting to make this purpose frankly known and remove all apprehension on this score so far as concerns the policy of this nation, which maintains so considerable a share of the Pacific commerce of China and which holds such important possessions in the western Pacific, almost at the gateway of China.[7]

The representatives of the United States brought this matter to the notice of the governments to which they were accredited to invite an expression of their views thereon.

[6] W. R. Thayer: *Life of John Hay*, Vol. II, p. 385.
[7] Foreign Relations of the United States, 1905, p. 1.

Replies to this circular were received from the governments of neutral powers, and they all agreed with the position taken by the government of the United States by declaring their consistent adhesion to the policy of Chinese integrity as well as the "Open Door."

Germany could now tell "which way the wind blows;" and she also satisfied herself in showing the consistency of her views with the principles of the United States.

VII

THE SECOND GROUPING OF THE POWERS

a. Anglo-Japanese Alliance, August 12, 1905 (renewed in 1911)
b. Treaty of Portsmouth, September 5, 1905
c. Franco-Japanese Convention, June 10, 1907
d. Russo-Japanese Convention, July 30, 1907
e. Anglo-Russian Convention, August 31, 1907
f. Root-Takahira Agreement, November 30, 1908

In world politics in the Far East, as notably the First Grouping of the Powers met the test of the First Challenge (Russian attempt), so the Second Grouping of the Powers was destined to meet the test of the Second Challenge (Japan's advance). Mediation by President Roosevelt [1] brought the Russo-Japanese War to an end and peace was restored by the treaty which was concluded on the 5th of September, 1905, at Portsmouth, New Hampshire. By the third article:

Japan and Russia mutually engaged:

1. To evacuate completely and simultaneously Manchuria, except the territory affected by the lease of the Liaotung Peninsula in conformity with the conditions of the additional article I, annexed to this treaty.

2. To restore entirely and completely to the exclusive administration of China all portions of Manchuria now in occupation or under the control of the Japanese or Russian troops, with the exception of the territory above mentioned.

The Government of Russia declares that it has no territorial advantages or preferential or exclusive concessions in Manchuria in the impairment of Chinese sovereignty or inconsistent with the principle of equal opportunity.[2]

Thus the first and chief disturber of the "territorial integrity of China" was at last crushed at the point of the sword by Japan, whose course met with the moral and financial support of the United States. And Secretary Hay, the sponsor of the policy, helped to check the partition of China as well as to

[1] Y. Makino: *Shina-Gwaiko-Shi* (History of Diplomacy of China), pp. 463–465.

[2] *Foreign Relations*, 1905, pp. 824–828.

enhance the prestige of American diplomacy. His achievement placed him among the foremost secretaries of state. Indeed, "there could be no better evidence of Mr. Hay's diplomatic capacity than the judgment and skill with which he seized the critical moment to blazon to the world a definite expression of policy, and to commit all the allies to its execution and observance." [3]

The sponsor of the "administrative entity" unfortunately did not survive to see his great principle at last consolidated in the Portsmouth peace treaty. His immortal doctrine, however, was to secure a permanent place thereafter in all important treaties between the powers, relating to the Far East.

When the peace treaty was still in course of negotiation, Japan and Great Britain concluded on August 12, 1905, an offensive and defensive alliance to replace the agreement of January 30, 1902 (this was renewed again in 1911). By this Anglo-Japanese alliance a guarantee was made of "the preservation of the common interest of all powers in China, by insuring the independence and integrity of the Chinese Empire and the principle of equal opportunity for the commerce and industry of the nations in China." [4] On June 10, 1907, France came forward to guarantee the Hay principle in China by an agreement with Japan.[5] Next Russia followed with the second article of the Russo-Japanese Convention of July 30, 1907, which declares:

> The High Contracting Parties recognize the independence and the territorial integrity of China and the principle of equal opportunity in whatever concerns the commerce and industry of all nations in that Empire, and engage to sustain and defend the *status quo* and respect for this principle by all the pacific means within their reach.[6]

On August 31, 1907, Great Britain and Russia, "animated by the sincere desire to settle by mutual agreement different questions concerning the interests of their States on the Continent of Asia," concluded a convention in which they

[3] J. B. Moore: *American Review of Reviews*, July, 1905.

[4] *Foreign Relations of the United States*, 1905, p. 488; and A. M. Pooley: *The Secret Memoirs of Count Tadasu Hayashi*, pp. 61–211.

[5] *Ibid.*, 1907, Part I, pp. 754–755; and André Tardieu: *France and the Alliances*, pp. 233–237.

[6] *Ibid.*, Part I, p. 765.

mutually engaged "to respect the territorial integrity of Tibet and to abstain from all interference in its internal administration." [7]

Next in order came the Exchange of Notes between Secretary Root and Baron Takahira, Japanese Ambassador at Washington, on November 30, 1908. This exchange was made as the text says, in order, "not only to tend to strengthen the relations of friendship and good neighborhood, but materially to contribute to the preservation of the general peace." Of this agreement the fourth article provides: "They are also determined to preserve the commercial interests of all powers in China by supporting by all pacific means at their disposal the independence and integrity of China and the principle of equal opportunity for the commerce and industry of all nations in that Empire." And the fifth article states:

Should any event occur threatening the *status quo* as above described or the principle of equal opportunity as above defined, it remains for the two governments to communicate with each other in order to arrive at an understanding as to what measures they may consider it useful to take.[8]

In his discussion of the Agreement, the Japanese writer compared the United States in China with Germany in Morocco. "It must be a source of gratification for the United States to occupy by this Agreement such a position in China where she has no substantial standing just as the German Emperor gained the right, step by step, to claim a participation in the Moroccan question by the Treaty of Algeciras and other treaties." [9]

The form of this Agreement is "a mere declaration of intention on the part of the two governments, and in no sense binding as an alliance would be;" it was, as Takahira expressed it, "something like a transaction between trusted friends," but it was universally regarded as a momentous event, and a com-

[7] *Foreign Relations of the United States*, 1907, p. 552.

[8] W. M. Malloy: *Treaties, Conventions, International Acts, etc., of the United States*, Vol. I, p. 1046.

[9] Sakué Takahashi: *"Discussion of the Japanese-American Agreement,"* in the *Kokusaiho-Zasshi* (Japanese Journal of International Law), Vol. VII, No. 4, December, 1908, p. 16, and also see "Algeciras Conference—Relations between the war in the Far East and Morocco," by the same writer in the same periodical, Vol. XII, No. 1, September, 1913, pp. 1–8.

plete answer to the fears—or the hopes—of those who foresaw a great naval struggle with Japan looming up before the country.[10]

The purpose of this note is, as a recent writer says, "Almost without a parallel in American diplomacy."

> It assumes a special interest in China on this side of the water; it accepts a partnership with Japan; it includes a promise that neither power will take action in China without consulting the other. In some ways it resembles the Clayton-Bulwer Treaty, in that the two powers concerned assert their special fitness to adjust a serious question together.[11]

In this survey of international politics it will be noticed that two contradictory policies were sometimes employed. The Clayton-Bulwer Treaty of 1850, denounced by the Americans for half a century as "the most serious mistake in American diplomacy," [12] was abandoned and replaced by the Hay-Pauncefote Treaty of 1901, which substitution in turn made the common-sense British critic "mourn over the spilt milk" in characterizing it as "the greatest blunder which British foreign policy has committed in regard to America since the Napoleonic wars." [13] But after seven years the forsaken principle of the Clayton-Bulwer Treaty was recalled in 1908 for the adjustment of possible differences between Japan and the United States in the Pacific and in China. Yet, on second thought, the apparent contradiction is not strange in the domain of politics. A given policy adopted under certain circumstances does not necessarily hold good under future circumstances. A dead policy of the past may have to be revived in a different order under new conditions. However remarkable a digression from the cardinal principles of American policy it might have been, the Agreement of November 30, 1908, nevertheless, furnished the United States, seven years later, when Japanese demands were made on China, with the legal authority for her moral support of the territorial integrity of China.

[10] E. Stanwood: *A History of the Presidency* (from 1897 to 1916), p. 149.
[11] A. B. Hart: *The Monroe Doctrine: An Interpretation*, p. 295.
[12] J. W. Foster: *A Century of American Diplomacy*, p. 457.
[13] Sir Harry Johnston: *Common Sense in Foreign Policy*, p. 88.

VIII

THE NEUTRALIZATION PLAN OF THE MANCHURIAN RAILWAY

Russo-Japanese Convention of July 4, 1910

Before taking up the Japanese demands of 1915 on China, the issue of the neutralization of railways in Manchuria as launched by Secretary Knox must be considered. Whether he was actuated by a sublime desire to save China from possible disruption, or encouraged by the initiative on the part of Japan,[1] or aiming to comply with the wishes of the American capitalists in following the footprints which Mr. Harrison [2] left behind, or seeking fame by trying his hand at the diplomatic game in which his predecessor was remarkably successful—or, whether moved by a combination of all these motives—is uncertain. At the close of the first year of his secretaryship, after consultation with Great Britain, he instructed Mr. O'Brien, the American Ambassador at Tokio, to sound the sentiment of the Japanese Government. The American note of December 18, 1909, addressed to Count Komura, Japanese Foreign Minister, says in substance:

It has been thought that the most effective way to preserve the undisturbed enjoyment of China of all political rights in Manchuria, and of the development of these Provinces under the practical application of the open door and equal opportunity, would be to combine all Manchurian railways under an economic, scientific and impartial administration by a suitable arrangement which would vest in China the legal title to such railroads, the funds thus made necessary to be furnished under some plan by which proper allotment would be made to those powers which should be found willing to participate.

[1] F. McCormick: *The Menace of Japan*, pp. 39–41, the so-called Ito-Harriman agreement.

[2] G. Kennan: *E. H. Harriman's Far Eastern Plans*; and Y. Makino: *Shina-Gwaiko-Shi* (History of Diplomacy of China), pp. 394–398; and "American Proposal of Neutralization of Manchurian Railway" by Prof. S. Takahashi in the *Kokusaiho-Zasshi* (Japanese Journal of International Law), Vol. IX, No. 1, September, 1910, pp. 20–23.

The reversionary interest and the interests of the concessionaries in existing Manchurian railroads being at present vested in China, Japan, and Russia, the carrying out of the plan would also require their co-operation, while it would also require the affirmative cooperation of Great Britain and the United States whose special interest rests upon the existing contract covering the construction of the Chinchow-Aigun Railroad. My government is able to find in the proposed plan great advantages both to Japan and Russia. These powers both desiring in good faith to protect the policy of the open door and of equal opportunity in Manchuria, and wishing to assure to China unimpaired sovereignty of her territory might well be expected to welcome an opportunity to be freed from the duties, responsibilities and expenses undertaken by them in the protection of their commerce and other interests, and to be able to enjoy the impartial assumption by the combined Powers, including themselves, of the onerous and exacting burdens resting upon them.

If the foregoing suggestion should not be found possible in its entirety as outlined, a less comprehensive plan might be reached under which Great Britain and the United States having in hand the Chinchow-Aigun Agreement, might invite interested powers friendly to the commercial neutralization of Manchuria to participate, not only in the financing and constructing of that line, but of such additional lines as future commercial development might demand and at the same time to supply funds for the purchase by China of such of the existing lines as might be offered for inclusion in this system.[3]

In reply to this note Count Komura, after careful consideration, made the following statement of guarded, but firm, denial on January 21, 1910.

The Imperial Government is well aware that the proposal of the United States is entirely disinterested and that it has for its single inspiration a desire to promote what your excellency's Government conceives to be the best interest of China, and I beg you to accept my assurances that the Imperial Government, upholding in all sincerity as it does the integrity of the Chinese Empire, and the principle of equal opportunity in all parts of China, would unhesitatingly lend their individual support to the project if they could bring themselves to the conclusion that its realization would accomplish the end desired.

After giving a frank exposition of the reasons which prevented his government from giving its support to the scheme,

[3] *Foreign Relations of the United States*, 1910, pp. 237–238.

he discussed the matter of railway administration and pointed out the non-practicability of the scheme:

It is impossible for the Imperial Government to believe that the substitution of an international in place of a national régime would prove advantageous or beneficial. On the contrary it seems to them that, in the presence of such a system, economy and efficiency would in the nature of things be obliged to yield to political exigencies, and that the divided responsibility of the system would inevitably mean an absence of due responsibility to the serious disadvantages of the public and detriment of the service.

In regard to the project of the Chinchow-Aigun line he said he was prepared to participate in the enterprise with the other powers interested in the question. "But," he concluded, "as that question is clearly distinguishable from the main subject of your excellency's note, I will, with your permission, reserve the minor point for separate and independent attention when necessary details regarding the matter are known." [4]

Appreciating the testimony of the United States to her sincere desire to uphold the policy of the Open Door and equal opportunity so as to guarantee to China her full sovereignty, Russia expressed her attitude in an *aide mémoire* of January 22, in response to the American proposals, substantially as follows:

However, nothing appears at the present time to threaten either this sovereignty or the open door in Manchuria. Consequently, the Imperial Government cannot discover in the present condition of Manchuria any reason necessitating the placing on the order of the day the questions raised by the United States Government.

The Imperial Government is of the opinion that the proposition of the United States does not sufficiently guarantee that the new order of things will have a satisfactory result from a financial standpoint. At all events the organization proposed for Manchuria is of a tentative character, which has not only never been tried in China, but is unusual in itself. To decide in favor of it on so vast a scale as proposed by the Federal Government, relinquishing for this purpose a system that has been tested, would only be possible with the certainty of obtaining favorable results. The Imperial Government regrets that it does not have this certainty.[5]

[4] *Foreign Relations*, 1910, p. 238.

[5] *Foreign Relations*, 1910, pp. 249–250.

Not speaking of the "notable indiscretions of Mr. Crane," appointed minister,[6] whose sudden disappearance in Chicago caused him to be humorously characterized by some Oriental papers as the "ghost minister," the neutralization scheme itself from the start was impracticable of application to the actual conditions in Manchuria. And Mr. Knox hardly did justice to such an honored position as the Secretaryship of State of the United States of America. A recent writer has this to say of the scheme:

The American Government's policy was, as I have said, irreproachable and just; but it erred in assuming, as usual, a restraining virtue in treaties. It aimed at placing Manchuria under an international economic protectorate, pending such time as China should be fit to walk alone; it proposed an experiment; in theory eminently satisfactory and practical, but which in practice necessitates identical aims and harmonious relations between six Powers. It was a policy of righteousness, tempered by enlightened self-interest—but it required the delicate handling of a Metternich to make it effective and to dominate the equally enlightened self-interest of the Powers. Everything depended on separating Russia from Japan. Everything was done to irritate Russian sensitiveness and it lay the foundations of the predatory fact which has since dominated the Far Eastern situation.[7]

What was important for the subject in question, however, as the immediate result of the American neutralization scheme, was the *rapprochement* of Japan and Russia.[8] The culmination of the desire of the two governments was the second Russo-Japanese Agreement [9] of July 4, 1910 (the date selected for its signature was regarded, it is said, as a delicate compliment to Mr. Knox) to preserve the *status quo* and to guarantee peace in China. The convention provided:

Article I. With the object of facilitating communications and developing the commerce of nations, the two high contracting parties engage to lend each other their friendly cooperation with a view to the amelioration of their respective railway lines in Manchuria and the

[6] "The Dismissal of Mr. Crane, American Minister to China," by Shun-ichiro Matsumiya in the *Gwaiko-Jiho*, 1919, pp. 628–634.

[7] J. O. P. Bland: *Recent Events and Present Politics in China*, pp. 319–320.

[8] As to the pro-Japanese sentiments among the Russians, see "The Tendency of Russian Friendship in the Far East" by Kageaki Oba, in the *Gwaiko-Jiho* (Revue Diplomatique), 1910, No. 148, pp. 69–74.

[9] *American Journal of International Law*, IV, Supplement, p. 279.

improvement of the connecting service at the junctions of the said railways and to refrain from any competition inimical to the accomplishment of that purpose.

Article II. Each contracting party undertakes to maintain and respect the *status quo* in Manchuria as resulting from all the treaties, conventions, or other arrangements concluded up to this date either between Russia and Japan or between those two powers and China. Copies of the said arrangements have been exchanged between Russia and Japan.

Article III. Should any event arise likely to threaten the above-mentioned *status quo*, the two high contracting parties will in every case open communications between themselves so as to agree upon such measures as they may deem necessary to take for the maintenance to the said *status quo*.[10]

The state of the Chinese mind towards the *rapprochement* of Japan and Russia is most clearly presented by the Society for Immediate Adoption of Parliamentary System in China in its "Appeal to the Nation":

Do our brethren know today the overthrow of the nation, the loss of its sovereignty and the partition of its territory? Do we realize who extinguish the life of our nation, deprive us of our sovereignty and slice our territory? Is there anyone who is not astonished that Japan and Russia—once the leaders of peace in the Orient—should be peace breakers? . . .

For the last few years, we hear the ringing in our ears of the partition of China. The fact that China is still breathing in pain today is not because the Powers have any regard for the prestige of China, but chiefly because they did not dare to be responsible for oversetting the balance of power. Now that Japan and Russia have come forward as the disturbers of the balance of power, who will be afraid of being held up as the open enemy of peace? . . .

By the first Russo-Japanese Convention (July 30, 1907), each one of the contracting parties respects the present status of territorial integrity of the other and both of them agree to respect all rights derived from the treaties and agreements in force between China and the two contracting parties. They recognize the independence and territorial integrity of China and the principle of equal opportunity of commerce and industry for all the Powers in China. They further pledge themselves to protect and maintain the continuance of the *status quo* and the establishment of the aforesaid principle by all peaceful means at their disposal. This was an agreement attempting to unite

[10] *Foreign Relations of the United States*, 1910, p. 835.

negation with license of individual action, while the new compact of July of this year (1910) is greatly different in spirit from its predecessor. By this convention, the contracting parties have mutually agreed to extend friendly consideration to effect an adjustment of railroad connections in Manchuria in order to bring about desirable facilities of communication and the developments of international commerce. They pledge themselves to refrain from all competitions prejudicial to the prosecution of this object. They further agreed to come to mutual negotiation at any moment, when any incident injurious to the maintenance of the *status quo* in Manchuria occurs, in order to determine the means necessary for the preservation of the *status quo*.

This signifies the transformation of the Convention from the negative to the positive principle and from individual action to cooperation. Therefore, it is not an exaggeration to say that the contracting parties entered into an offensive and defensive alliance over the disposal of Manchuria. It is to be understood Japan and Russia have no respect for China and that they made a public declaration to the Powers that Manchuria is in their possession. Therefore, when the Powers hereafter attempt to apply the principle of equal opportunity to Manchuria, Japan and Russia, considering it to be essentially a threat to disturb the status, will concert preventive measure. Again, when our country (China) tries to carry out an enterprise in the exercise of her sovereign right, Japan and Russia, considering it to be the sprout of an infringement of the *status quo*, will come, no doubt, to mutual negotiation as to the steps they shall adopt for its apprehension. If that be in truth the real situation, all contravention will come to naught, despite the great efforts of our most friendly nation to carry out her right of equal opportunity.[11]

This convention "was widely interpreted as, in effect, an answer of the two contracting powers to the attempt of the United States to deprive them of advantages which they considered to be rightfully theirs.[12]

The same idea was clearly stated from the Japanese viewpoint by a leading journalist in Tokio who says:

The proposal of Mr. Knox has exerted more important influence upon Japan and Russia than sermons, running over millions of words, to bring about harmonious relations between the two countries. We may rightly give Mr. Knox a place of honor only second to Mr. Roosevelt's as a promoter of the friendship between Japan and Russia. Unexpected happenings abound in human affairs.

[11] The *Gwaikō-Jihō* (Revue Diplomatique), 1910, No. 155, pp. 527–529.
[12] F. A. Ogg: *National Progress*, p. 319.

Since that time, Russia, who had known Japan only as her enemy, and Japan, who had looked upon Russia as a continual menace to the Far East, began to understand that, by regarding each other with hostility, they are engaged in "the quarrel between the kingfisher and the clam which turns to the fisherman's profit." They awakened to the the fact that the real cause of trouble does not originate in either of them but in the third party, who watches for a chance to attack their weak point.[13]

[13] Iichiro Tokutomi: *Sekai-no-Henkyoku* (World Conflicts), p. 369.

IX

TWO POLICIES ON THE CHINESE LOAN QUESTION

On October 8, 1907, in a speech at Shanghai, Mr. Taft, then Secretary of War on his mission to the Far East, declared:

> The policy of the Government of the United States has been authoritatively stated to be that of seeking the permanent safety and peace of China, the preservation of Chinese territorial and administrative entity, the protection of all rights, guaranteed by her to friendly powers by treaty and international law, and as a safeguard for the world, the principle of equal and impartial trade with all parts of the Chinese Empire.[1]

Seventeen months later, March, 1909, when he became President of the United States, he was the only president who had been to the Far East, in which he showed a special interest. In his inaugural address on March 4, the new President set forth the American policy in the Orient in the following statement:

> In the international controversies that are likely to arise in the Orient growing out of the question of the open door and other issues the United States can maintain her interest intact, and can secure respect for her just demands. She will not be able to do so, however, if it is understood that she never intends to back up her assertion of right and her defense of her interest by anything but mere verbal protest and diplomatic note. For these reasons the expenses of the army and navy and of coast defenses should always be considered as something which the Government must pay for, and they should not be cut off through mere consideration of economy. Our Government is able to afford a suitable army and a suitable navy. It may maintain them without the slightest danger to the Republic or the cause of free institutions, and fear of additional taxation ought not to change a proper policy in this regard.[2]

His administration is, therefore, characterized by a direct participation in the Chinese question. The President and

[1] F. McCormick: *The Menace of Japan*, pp. 505; and as to "President Taft and the Far East," see Prof. S. Takahashi in the *Kokusaihō-Zasshi* (Japanese Journal of International Law), February, 1911, Vol. IX, No. 6, pp. 440–453, No. 7, 540–544, and No. 9, 708–715.

[2] W. H. Taft: *Presidential Addresses and State Papers*, p. 59.

his Secretary of State, Mr. Knox, also saw that the most effective method by which to insure a hearing for the voice of the United States in questions affecting the integrity of China and to promote the American cause of equal opportunity, would be to secure for American capital an equal share with that of other powers in loans to China. "Dollar Diplomacy," which was first consciously promoted by Secretary Knox in the treaty relationships with Central and South American states for the promotion of American trade, was now applied to China. At the instance of the government, an American financial group was formed for the purpose of making money available for foreign investment, and this group asked to be allowed to take part in the Chinese loan. There had been much wrangling among the financing powers, and they objected to the American participation. On July 21, 1909, President Taft took up the matter directly with Prince Chun, Regent of China. He pointed out "that the wishes of the United States were based upon broad national and impartial principles of equity and good policy in which due regard for the best interests of China had a prominent part."[3]

Finally, the American group was accepted as a member of the so-called Four-Power financial group with the British, French and German groups as its partners. On April 15, 1911, the Currency Loan Agreement and, in the next month, the Hukwang Railway Loan were concluded by the Four-Power financial syndicate. A recent writer thus discusses the success of American cooperation.

> Admission to these financial groups and participation in these loans marked the first victories for "dollar diplomacy." Our government had for the first time and with success insisted upon the opportunity of there being afforded for American capital a share along with that of other powers in supplying the needs of the Chinese Government.[4]

On June 20, 1912, chiefly for political reasons, Japan and Russia joined the financial group, and the Six-Power Syndicate was incorporated. China was by this time cast into the whirlpool of revolution, and the chaotic condition at home did not allow the successful negotiation of foreign loans. In the

[3] F. McCormick: *The Menace of Japan*, p. 85.

[4] S. K. Hornbeck: *Contemporary Politics in the Far East*, p. 393, and Kin-ichi Ōmura: Shina-Seiji-Chiri-Shi (Political Geography of China), Vol. 2, pp. 86–158.

spring of 1913 the Reconstruction Loan hinged upon the conditions of agreement, which were such, if granted, as would dictate the internal affairs of China.

Such was the situation when President Wilson, with Mr. Bryan as Secretary of State, assumed the conduct of the foreign policy of the United States. Two weeks after the inauguration, on March 17, the new administration declined to support the participation of the American group in the Chinese loans. President Wilson declared:

> The conditions of the loan seem to us to touch very nearly the administrative independence of China itself, and this administration does not feel that it ought, even by implication, to be a party to those conditions. The responsibility on its part which would be implied in requesting the bankers to undertake the loans might conceivably go to the length in some unhappy contingency of forcible interference in the financial and even the political affairs of that great Oriental state just now awakening to a consciousness of its power and its obligation to its people.[5]

Upon this announcement the American banking groups withdrew from the combination at Peking. "From the standpoint of American interest and policy in China, this was the most important occurrence since the declaration of the Hay Doctrine, and its significance was obscured both in China and America by misrepresentation and misunderstanding of the facts and conditions." [6]

In the meantime, the financial conditions in China became as bad as the political situation. The quintuple loan of $125,000,000, which the Government negotiated with the capitalists of the Five Powers in the preceding year, was almost exhausted. On the other hand, no matter how economical the Chinese Government was in the effort to defray its expenditure, it was necessary to have an amount of $2,500,000 a month for the payment of the officials and soldiers under its direct control. The only hope for the Peking Government to meet this expenditure was the remittance from all the provinces which could only supply $1,000,000 a month at most. The total deficiency was $1,500,000 monthly, while with the outbreak

[5] F. McCormick: *The Menace of Japan*, pp. 192–193.
[6] T. E. Millard: *Our Eastern Question*, p. 84.

of the Great War it became impossible for the Government to negotiate a loan with European capitalists. Therefore, an American loan was the only recourse left. If no loan could be concluded successfully, the salaries of the officers must be suspended for a certain length of time and the soldiers under the direct control of the Government must be handled craftily to maintain their allegiance.[7] Under these circumstances, President Yuan Shih-kai sent two officials (Wong Chin-Fau and Fai Chu Tong) to the United States for the negotiation of a loan, in the fall of 1914.[8] The project, unfortunately, was not successfully carried through.

In the spring of 1915, about the time when the Chino-Japanese negotiations were assuming a critical stage, there appeared in the United States a young man of twenty-nine from China who "was making frequent trips to the American Legation to keep Minister Reinsch informed on the progress of the negotiations." [9] He delivered a series of speeches in New York, "urging the development of China's resources by American capital." [10] His appointment, on October 25, as Chinese Minister from the new Republic of the Orient to the United States may be analogous in the annals of diplomatic missions to that of the young John Quincy Adams as American Minister to the court of Prussia at the close of the eighteenth century.

The coming back of Dr. V. K. Wellington Koo to the country where he had been educated for years with high distinction was not only "regarded with commendable pride by Columbia University" but was further hailed by the United States as a display of advance of American influence in China through American education. "As the representative of a great new Republic," said the *New York Times* editorially, "whose constitutional problems are still beset with many difficulties, the appointment of Dr. Koo carries possibilities of great importance in the continued friendly relations of the two countries,

[7] *The New York Times*, November 17, 1914, p. 15, col. 1.

[8] See the interview of Prof. C. A. Beard in *The New York Times*, November 10, 1914, p. 7, cols. 4–6.

[9] *The New York Times*, July 26, 1915, p. 15, col. 2.

[10] *The New York Times*, April 2, 1915, sect. 1, p. 16, col. 3 and July 26, 1915, p. 5, col. 5.

and for both it may be fortunate that China will have for its minister to the United States one who is so familiar with the political and commercial conditions of American life." [11]

The appointment was interpreted in the Far East as a measure through which President Yuan Shih-kai hoped for aid in soliciting American financial support, and the new minister was understood to be zealous to do his utmost to strengthen the bonds of friendship between the two countries.[12]

On March 31, 1916, an announcement was made by the Chinese Minister that his Government had appointed the Lee, Higginson Company "as its financial agent to place bond issues in the United States." [13] Negotiation for a new Chinese loan seemed to be well under way when, on May 29, General Hwang Hsing, a leader of the Southern Party—who had been studying in the United States, in the preceding year, the American attitude toward Chinese affairs and was at that time in Japan as a political refugee—warned the American financiers through his agent in New York City against the proposed loan of $25,000,000 to be used by President Yuan Shih-kai in putting down revolt in the southern provinces.[14] This loan, therefore, did not materialize. In the meantime, Lee, Higginson and Company and the Guaranty Trust Company successfully advanced something over $1,000,000 to the Chinese Government.[15]

The Washington Government, however, did not alter its former attitude until the Summer of 1916 when, on July 1, it was announced that Mr. William Phillips, Third Assistant Secretary of State, attended the meeting of bankers held at the offices of J. P. Morgan and Company several days before and made "a strong plea for an immediate decision in favor of the advance which the Chinese were asking." [16]

[11] *The New York Times*, December 1, 1915, p. 12, col. 4, editorial.

[12] *The New York Times*, November 29, 1915, p. 6, col. 2.

[13] *The New York Times*, April 1, 1916, p. 16, col. 4.

[14] *Ibid.*, May 29, 1916, p. 6, col. 4.

[15] See the statement made by Mr. Willard Straight of the International Corporation in the Annual Financial Section of *The New York Times*, December 31, 1916, section IX, p. 15, col. 5. (About $1,250,000?)

[16] *Ibid.*, July 1, 1916, p. 13, col. 1; July 9, section 1, p. 8, col. 4, and July 28, p. 20, col. 6.

It may be remarked that this loan question became a matter of lively discussion between the Republican and Democratic parties during the Presidential campaign of 1916.[17]

For four years since the American withdrawal, representatives of the powerful corporations of New York such as J. P. Morgan and Company and the Standard Oil group were quietly but steadily protesting against the refusal of President Wilson to identify the State Department with oversea finance. The demand was not made in such bald terms, for the American people would not sanction the use of the agencies of the government as a collection and insurance agency for Wall Street interests. In the meantime, the effects of war brought great changes in the financial conditions of the United States. The banks became bulging with surplus wealth and the resources of national banks alone were in excess of $14,000,000,000. Interest rates at home were falling and the Federal Act was reducing interest still further.

In the face of these internal conditions of the country, there was no other way left for the Administration than to accept the situation and to abandon its former policy. On November 16, 1916, the Administration decided, at last, to assume the protection policy over American investments in China. It was only after the endorsement made by Secretary Lansing "that the Department of State is always gratified to see the Republic of China receive financial assistance from the citizens of the United States, and that it is the policy of the department now, as in the past, to give all proper diplomatic support and protection to the legitimate enterprises abroad of American citizens" [18] that the new American loan of $5,000,000 was placed to China by the Continental and Commercial Bank of

[17] On the Republican side, in a statement given out at Washington, September 10, 1916, Mr. W. R. Willcox, Chairman of the National Committee, assailed President Wilson for refusing to give a guarantee in connection with the loan (*The New York Times*, September 11, 1916, p. 3, col. 6), and Mr. Charles E. Hughes, Republican candidate for President, in a speech at Buffalo, on September 30, 1916, condemned the Democratic Administration for excluding American bankers from the Six-Power loan (*The New York Times*, October 1, 1916, section 1, p. 6, col. 1), and, on the Democratic side, Secretary William C. Redfield, in a speech at Camden, New Jersey, on October 7, 1916, praised the Democratic Administration for disapproving the proposed Six-Power loan (*The New York Times*, October 8, 1916, section 1, p. 4, col. 8).

[18] *The New York Times*, November 17, 1916, p. 17, col. 1.

Chicago, which had been very reluctant for a few months in the negotiations. This sum was the first instalment of a purely American loan of $30,000,000 to be secured by the wine and tobacco taxes, and to be used in the promotion of industries.

The interesting point which this question suggested was that whether the flag follows foreign investment. In November of 1916, writing for the "America's Changing Investment Market," Mr. Huntington Wilson, formerly Assistant Secretary of State under the Republican Administration, began his article, "The Relation of Government to Foreign Investment," with these words:

> The relation of government to foreign investment by its citizens is one of correlative obligation and authority, general obligation to protect the citizens' rights, and authority to control the citizens' course by giving great or little protection, or none at all. In the discharge of its obligation the duty of government is to measure the protection to be given any investment first of all by the advantage of that investment to the nation; and secondarily, to mete out that protection in proportion to the right of the investor to expect protection.[19]

It may safely be said that, especially in a country under an unstable government, foreign investment is too adventurous an enterprise for capitalists, without assured protection on the part of their own government. In the summer of 1918, when a new loan of $50,000,000 to China, "so that the nation may be the better able to defend itself against enemy forces approaching its borders," was in the course of negotiation by American bankers, the State Department assured its protection of American investment in China. On July 29, Acting Secretary Polk made the formal announcement in which he said:

> In order to encourage and facilitate the free intercourse between American citizens and foreign, which is mutually advantageous, the Government will be willing to aid in every way possible and to make prompt and vigorous representations and to take every possible step

[19] *Annals of the American Academy of Political and Social Science*, Vol. LXVIII, No. 157, November, 1916, p. 298; and also see Frederick C. Howe's article, "Dollar Diplomacy and Financial Imperialism under the Wilson Administration" in the same periodical, pp. 312–320.

to insure the execution of equitable contracts made in good faith by citizens in foreign land.[20]

It should also frankly be admitted here that the reversal of American policy on the Chinese loan question was to some degree prompted by the growing realization of the ascendency which Japan, emerging as a creditor nation out of the present war, was gaining over her weaker neighbor, which created no slight apprehension on the part of the captains of industries, finance and commerce in the United States.[21]

The merits and demerits of the American withdrawal from the Six-Power group in 1913 still remain to be judged. The facts are that the Republican Administration tried to assure the territorial integrity of China by an active participation in financial enterprises in China, whereas the Democratic Administration tried to maintain it by abstention from political entanglement.

[20] *The Evening Post*, July 29, 1918, p. 1, col. 1; and also *The New York Times*, July 30, 1918, p. 13, col. 4.

[21] *The New York Times*, July 1, 1916, p. 13, col. 1, and November 17, 1916, p. 17, col. 1.

X

THE SECOND CHALLENGE (JAPAN'S ADVANCE)

Japanese demands on China, January 18, 1915
Chino-Japanese Agreement, May 25, 1915

The most recent and important event in connection with the subject under discussion was the Japanese move toward China in 1915. During the present European War the hands of the Powers were tied up in the great struggle on the Continent, and the balance of power in the Far East was removed. Ostensibly in compliance with the treaty obligations of the Anglo-Japanese Alliance to secure "the consolidation and maintenance of the general peace in the regions of Eastern Asia and India," Japan declared war on Germany. But one can see the real purport of her entry into the war in the communication of August 20, from Baron Kato, Japanese Minister of Foreign Affairs, to Mr. Bryan, United States Secretary of State:

> The history of the seizure of the place (Kiao-chow) by Germany and her conduct preceding and including her intervention in conjunction with Russia and France, after the Chinese-Japanese War, shows that it is absolutely necessary to eliminate such possession completely, if Japan is to restore immediately complete peace in the Far East in accordance with the terms of the Anglo-Japanese Alliance. If Japan is to look far enough into the future and adopt measures to insure an abiding peace in Eastern Asia, she must realize that a strong military base in the hands of a hostile military power in the heart of the country cannot in itself fail to be a menacing factor.[1]

Soon after the war had started, there was a widespread rumor in the United States that Japan with her free hand was preparing "to fish in the troubled sea." On August 24, Count Okuma, then Premier of Japan, cabled to the *New York*

[1] S. K. Hornbeck: *Contemporary Politics in the Far East*, pp. 288–289; Viscount Kato: *The Chuo koron*, October, 1917; and as to Japan's entry into the war from German viewpoint, see "Japan und der Krieg," in *Frankfurter Zeitung* (1 Dezember 1914), Nr. 333, Abendblatt, Seite 1, Kolumnen 1–4.

Independent a "Message to the American People" in which he declared:

As Premier of Japan, I have stated and now again state to the people of America and of the world that Japan has no ulterior motive, no desire to secure more territory, no thought of depriving China or other peoples of anything which they now possess.[2]

Notwithstanding this declaration, the apprehension became true when Japan made 'sweeping demands' on China on January 18, 1915, about ten weeks after the fall of Tsingtau, the German fortification of Kiao-chow. "Seldom does history repeat itself as promptly as it did in the case of the Japanese duplication in 1914–1915 of the Russian performance of 1901–1902."[3] The original Japanese note to China contained twenty-one articles under five groups, while later it became known, through publication by the Chicago *Herald* (February 18) and by the New York papers (February 19) of the full text of the demands, obtained from Chinese sources, that Japan had omitted Article V in the communication to the foreign governments. This omission constituted with Article IV the most important part of the demands, and had great significance with respect to the subject at hand, and deserves careful examination.

The full text of the demands is as follows:

ARTICLE I

(*Designed to preserve peace in the Far East and to strengthen the friendly relation of the two countries.*)

a. China shall recognize the transfer of all rights in Shantung acquired and enjoyed by Germany in accordance with treaty stipulations or other rights with reference to China, regarding which Japan expects to come to an agreement with Germany eventually.

b. China shall not lease to other countries any territory or island on the coast of Shantung.

c. China shall grant to Japan the right to construct a railway from Yentai or Lungkow to connect with the Kiao-chau-Tsinan line.

d. China shall open without delay the principal important cities of Shantung to trade.

[2] *The New York Independent*, LXXIX, p. 291; and *American Year Book*, 1914, p. 99.

[3] S. K. Hornbeck: *Contemporary Politics in the Far East*, p. 245.

ARTICLE II

(*Designed to secure to Japan a position of special interest in South Manchuria and East Mongolia.*)

a. The lease of Port Arthur and Dalny, together with that of the South Manchurian Railway and the Mukden-Antung Railway, shall be extended to ninety-nine years.

b. Japanese subjects shall have the right to rent and purchase land in South Manchuria and East Mongolia for uses connected with manufacture or agriculture.

c. Japanese subjects shall have the right to go freely to South Manchuria and East Mongolia for purposes of residence and trade.

d. The right to open and operate mines in South Manchuria and East Mongolia shall be granted to Japanese subjects.

e. China shall obtain the consent of the Japanese Government to the actions of the two following kinds:

1. Permitting citizens or subjects of other countries to build railways in South Manchuria and East Mongolia.

2. Hypothecating the various revenues of South Manchuria and East Mongolia as security for foreign loans.

f. China shall consult Japanese before employing advisers and instructors for conducting the administrative, financial or military affairs of South Manchuria and East Mongolia.

g. Japan shall have control of the Kirin-Changchun Railway for ninety-nine years.

ARTICLE III

a. China and Japan shall agree to act jointly, not independently, in the contemplated formation of the Han-Yeh-Ping Company.

ARTICLE IV

(*Designed to protect effectively the territorial integrity of China.*)

China shall not alienate or lease to other countries any port, harbor, or island on the coast of China.

ARTICLE V

a. The Central Government of China shall employ important Japanese subjects as advisers for conducting administrative, financial and military offices.

b. Japanese hospitals, missions and schools established in the interior shall have the right to hold land in China.

c. China and Japan shall jointly employ police in the important places in China or employ a majority of Japanese in the police department of China.

d. China shall purchase from Japan at least half the arms and ammunition used in the whole country or establish jointly in Japan factories for the manufacture of arms.

e. China shall permit Japan to build railroads connecting Wu Chang with Kinkiang, and Nanchang; Nanchang with Hangshow; and Nanchang with Chiaochau (Swantow).

f. In case of the Province of Fukien requiring foreign capital for railway construction, mining, harbor improvements, and shipbuilding, Japan shall be first consulted.

g. Japan shall have the right to propagate religious doctrine in China.[4]

After very careful discussions of the demands in question, Professor Sakuzō Yoshino (Tokio Imperial University) had this to say by way of caution to the Japanese people:

The point I earnestly desire to present to the Japanese people, in availing myself of this opportunity in regard to this question, is the fact that the ideal policy of Japan towards China consists in affording whole-hearted assistance to China to the utmost degree in order to effect the complete and healthy progress of China. We have to bear in mind also that we had aroused anti-Japanese feeling among the Chinese people by exacting these demands, which, at this time, although immediate exaction was not the real intention of Japan, at all, but was an unavoidable step which we were compelled to take under the influence of the competition of the powers in China. It should also be suggested that we ought to deal with the affairs of China, in the future, with much sympathy and respect.[5]

[4] Chinese Official History of the Recent Sino-Japanese Treaties, and *New York Times*, February 19, 1915, pp. 1 and 6.

[5] S. Yoshino: *Nisshi-Kōshō-Ron* (Discussion of the Chino-Japanese Negotiations), p. 256.

XI

AMERICAN EFFORTS DURING THE CHINO-JAPANESE NEGOTIATIONS

Keenly alive to its interests in China, the Government of the United States instructed its representatives in Tokio and Peking in an effort to prevent any infringement of its treaty rights in China. Dr. P. S. Reinsch, the American Minister, presented a note to the Chinese Government requesting it to inform the United States of any understanding into which it entered with Japan.[1] On March 9, a friendly inquiry was made to Japan by the American Government concerning the differences between the notes to the United States and to China. In reply, Japan communicated a supplementary note to the United States, and also to the other powers, in which she summarized the articles not included in her first statement. She explained that, as these articles were in the nature of requests concerning old and long pending questions between herself and China, she did not previously feel obliged to impart them to the other powers.[2] The reason given by the Japanese Government for the omission of the full and frank communication is feeble, and it does not comply with the obligation incurred by the fifth article of the Root-Takahira Agreement of 1908. About this time, news was current that the United States had taken concerted action with Great Britain and Russia in a strong protest against the Japanese demands. On March 18, however, President Wilson denied this report and affirmed that representations had been made independently of any action taken by Great Britain and Russia.[3]

The government of the United States presented to the Japanese Government a note of twenty pages in which special inquiry was made. On March 22, Baron Kato, Japanese Foreign Minister, answered as follows:

[1] *New York Times*, May 23, 1915, Section II, p. 5.
[2] *Ibid.*, March 10, 1915, p. 3.
[3] *The New York Times*, March 19, 1915, p. 5.

1. On the Province of Fukien (mentioned in Chapter X as f, Article V).

   The Japanese Government replied that these concessions were desired for the primary purpose of preventing other nations from acquiring special rights there, Japan understanding that Americans wished to build dockyards in the harbor at Santuano. This position is of great strategic importance Japan pointed out, on account of the possibility of its use for directing operations against Formosa in case of war.

2. On the supervision of manufacture and purpose of arms (d).

   The Japanese Government expressed the opinion that the question could be solved most satisfactorily by the employment of mixed forces of Japan and China, a system which already exists.

3. On the police question (c).

   The Japanese Government replied that this demand applied only to South Manchuria.

4. On the employment of political advisers (a).

   The Japanese Government replied that this proposed restriction would apply to Japan as well as to other powers.

5. Non-alienation and non-lease (Article IV).

   The Japanese Government replied that this proposed restriction would apply to Japan as well as to other powers.[4]

All of these demands touched Chinese sovereign rights, and if they had been granted, China would have been placed under the suzerainty of Japan. The fifth matter (mentioned in Chapter X as Article IV) "China shall not alienate or lease to other countries any port, harbor, or island on the coast of China" is the only article which has direct bearing upon the territorial question. It may be interesting to look at this in the light of the declaration in the Monroe Doctrine in regard to future colonization in America. As to the meaning of 'other countries' in the clause in question, the Japanese Government explained that this version would apply to Japan as well as to other powers. The interpretation that the "other countries" included Japan itself may be well doubted. The true purpose of Japan will be surmised when the fact was revealed that in the original note handed to China Japan had inserted "third" in place of the "other countries," thus not committing

[4] *The New York Times*, April 9, 1915.

itself to any restriction. On close examination, one cannot deny that there was a breach of the fourth article of the agreement of 1908 in the Japanese demands on China. It may be doubted, however, when one examines the situation at that time, whether Japan had from the beginning the will to force China to accept all her demands. After the agreement was reached, when taunted by the opposition party in the Diet, on May 22, with the futility of the negotiations, the Japanese Foreign Minister [5] replied that Article V was a case of "bargaining"—a practice apt to be as common at the stately conferences of nations as in retail stores on the streets.

On April 3, Count Okuma, whom the *New York Times* wisely characterized later, when he played politics at home, as "a man we understand" [6] again sent a message to the American people through the *Independent*, explaining the aims of the country. He said in part:

> Japan has adhered strictly to the principle of equal opportunity. We have fully informed the United States and other interested powers as to Japan's purposes. The negotiations between Japan and China are arriving at a satisfactory conclusion. Japan is merely looking toward permanent peace and good understanding.[7]

On April 14 the Chinese Government explained to the American Minister that it refused to grant to the Japanese Government any preferential treatment outside of South Manchuria and East Mongolia, and that this was based on the belief that the United States Government would give full support to that position. On May 6 the Government of the United States made an official statement in which it says:

> At the beginning of negotiations, the Japanese Government informed this government by the assurance that Japan had no intention of interfering with either the political independence or territorial integrity of China and that nothing that she proposed would discriminate against other powers having treaties with China or interfere with the Open-Door policy to which all the leading nations are committed.

[5] As to the discussions of negotiations, see "Details of the Chino-Japanese Negotiations in the Fourth Year of the Taishō," delivered by Viscount Kato at the Kyoto Imperial University on October 24, 1917, *Magazine of the Alumni*, March, 1918, No. 21, pp. 9–38.

[6] *New York Times*, August 10, 1915, Editorial.

[7] *New York Times*, April 8, 1915, p. 3.

And the American Government's sole interest in the present negotiations is that they may be concluded in a manner satisfactory to both nations and that the terms of the agreement will not only contribute to the prosperity of both of these great Oriental empires, but maintain that cordial relation so essential to the future of both and to the peace of the world.[8]

Towards the end of April the negotiations reached an acute stage. About the beginning of May, mobilization of the Japanese troops was ordered and, on May 7, an ultimatum was sent to the Peking Government demanding compliance within forty-eight hours. With all these "bargainings," agreement was finally reached that Article V, with the exception of the article in connection with Fukien Province, was postponed for later negotiation, and that Kiao-chow should be restored.

The treaty was signed at Peking on May 25, and, on June 18, ratifications were exchanged at Tokio. All through the Chino-Japanese negotiations, the United States, basing its action on the agreement of 1908, protested against the Japanese aggression and exercised moral influence with some success for the protection of China's territorial integrity.

It must be recalled at this juncture that, when the situation became very critical, about May 6, the "Genro," or Elder Statesmen, prevailed upon the Okuma government to arrive at a more conciliatory conclusion. In consequence, the requirements embodied in the ultimatum represented a modification of the Japanese demands of April 26, which were sent to China as Japan's final demands.[9]

After the conclusion of the negotiations, the government of the United States, on May 16, 1915, sent the following to the government of China:

In view of the circumstances of the negotiations which have taken place, or which are now pending, between the Government of China and the Government of Japan, and agreements which have been reached and as a result thereof, the Government of the United States has the honor of notifying the Government of the Chinese Republic that it cannot recognize any agreement or understanding which has been entered into, or which may be entered into between the Governments of China and Japan, impairing the treaty rights of the United States and its citizens

[8] *New York Times*, May 7, 1915.
[9] *The Tokio Asahi*, May 5–8, 1915.

in China, the political or territorial integrity of the Republic of China, or the international policy, commonly known as the Open-Door Policy.[10]

An identical note was handed to the Japanese Government through the American Embassy at Tokio on the same day. The most concise document, and the one which gives the most significant insight into Chinese integrity and international politics is the proclamation by President Yuan Shih-kai on May 28, 1915:

Our rights and privileges in Manchuria have suffered enormously. We are ashamed and humiliated, but our own weakness invited insult. Let all the people unite and work harmoniously for the supreme object of saving the country.[11]

[10] T. Millard: *Our Eastern Question*, p. 163.
[11] *The New York Times*, May 28, 1915.

XII

THE SIGNIFICANCE OF JAPAN'S ADVANCE IN WORLD POLITICS

At this juncture it is logical to treat the significance of Japan's advance in international politics.

Some of the important articles of the Agreement reached between Japan and China are:[1]

Referring to the province of Shantung.

The Chinese Government agrees to give full assent to all matters upon which the Japanese Government may hereafter agree with the German Government, relating to the disposition of all rights, interests and concessions which Germany, by virtue of treaties or otherwise, possesses in relation to the province of Shantung.

Within the province of Shantung or along its coast no territory or island will be leased or ceded to any foreign power under any pretext.

The places which ought to be opened as commercial ports in China herself, as provided in Article 3 of the Treaty respecting the Proving of Shantung signed this day, will be selected and the regulations therefor will be drawn up by the Chinese Government itself, a decision concerning which will be made after consulting the Minister of Japan.

When, after the termination of the present war, the leased territory of Kiao-chow Bay is completely left to the free disposal of Japan, the Japanese Government will restore the said leased territory to China under the following conditions:

1. The whole of Kiao-chow Bay to be opened as a commercial port.
2. A concession under exclusive jurisdiction of Japan to be established at a place designated by the Japanese Government.
3. If the foreign powers desire it, an international concession may be established.
4. As regards the disposal to be made of the buildings and properties of Germany and the conditions and procedure relating thereto, the Japanese Government and the Chinese Government shall arrange the matter by mutual agreement before the restoration.

Relating to the terms of lease of Port Arthur and Dalny and terms of South Manchuria and Antung-Mukden Railway.

[1] *American Journal of International Law*, Vol. X, Supplement, pp. 1–18.

The terms of lease of Port Arthur and Dalny shall expire in the eighty-sixth year of the Republic or 1997.

The date for restoring the South Manchuria Railway to China shall fall due in the ninety-first year of the Republic or 2002.

Article 12 in the original South Manchurian Railway Agreement providing that it may be redeemed by China after thirty-six years from the day on which the traffic is opened is hereby cancelled.

The term of the Antung-Mukden Railway shall expire in the ninety-sixth year of the Republic or 2007.

Referring to South Manchuria and Eastern Inner Mongolia.

The two high contracting parties agree that the term of lease of Port Arthur and Dalny and the terms of the South Manchurian Railway and the Antung-Mukden Railway, shall be extended to ninety-nine years.

Japanese subjects in South Manchuria may by negotiation lease land necessary for erecting suitable buildings for trade and manufacture or for prosecuting agricultural enterprises.

Japanese subjects shall be free to reside and travel in South Manchuria and to engage in business and manufacture of any kind whatsoever.

The Chinese Government agrees in the interest of trade and for the residence of foreigners, to open by China herself, as soon as possible, certain suitable places in Eastern Inner Mongolia as commercial ports.

The Chinese Government agrees speedily to make a fundamental revision of the Kirin-Changchun Railway Loan Agreement, taking as a standard the provisions in railway loan agreements made heretofore between China and foreign financiers.

When in future, more advantageous terms than those in existing railway loan agreements are granted to foreign financiers in connection with railway loans, the above agreement shall again be revised in accordance with Japan's wishes.

All existing treaties between China and Japan relating to Manchuria shall, except where otherwise provided for by this treaty, remain in force.

Referring to the opening of ports in East Inner Mongolia and South Manchuria.

The places which ought to be opened as commercial ports by China herself, as provided in Article 6 of the treaty respecting South Manchuria and East Inner Mongolia signed this day, will be selected, and the regulations therefor will be drawn up by the Chinese Government itself, a decision concerning which will be made after consulting the Minister of Japan.

Referring to South Manchuria.

That Japanese subjects shall, as soon as possible, investigate and select mines in the mining areas in South Manchuria specified hereinunder, except those being prospected for or worked, and the Chinese Government will then permit them to prospect or work the same; but before the mining regulations are definitely settled, the practice at present in force shall be followed.

FENGTIEN

Locality	*District*	*Mineral*
Niu Hsin T'ai	Pen-hsi	Coal
Tien Shih Fu Kou	Pen-hsi	Coal
Sha Sung Kang	Hai-lung	Coal
T'ieh Ch'ang	Tung-hua	Coal
Nuan Ti T'ang	Chin	Coal
An Shan Chan region	From Liaoyang to Pen-hsi	Iron

KIRIN (SOUTHERN PORTION)

Sha Sung Kang	Ho-lung	Coal and iron
Kang Yao	Chi-lin (Kirin)	Coal
Chia P'i Kon	Hua-tien	Gold

Referring to railways and taxes in South Manchuria and Eastern Inner Mongolia.

China will hereafter provide funds for building necessary railways in South Manchuria and Eastern Inner Mongolia; if foreign capital is required China may negotiate for a loan with Japanese capitalists first; and further, the Chinese Government, when making a loan in future on the security of the taxes in the above-mentioned places (excluding the salt and customs revenue which have already been pledged by the Chinese Central Government) may negotiate for it with Japanese capitalists first.

Referring to employment of advisers in South Manchuria.

Hereafter, if foreign advisers or instructors on political, financial, military or police matters are to be employed in South Manchuria, Japanese may be employed first.

Referring to the Fukien Question.

The Chinese Government hereby declares that it has given no permission to foreign nations to construct, on the coast of Fukien Province, dock-yards, coaling stations or for military use, naval bases or to set up other military establishments; nor does it entertain of borrowing foreign capital for the purpose of setting up the above-mentioned establishments.

The non-alienation clause, with regard to "the Province of Shantung or along its coast," stipulating that "no territory or island will be leased or ceded to any foreign Powers under any pretext," tells the old story of the blunder of Japanese diplomacy in connection with the retrocession of Liaotung Peninsula in 1895. Before she made full acquiescence, Japan should have invited China and "the three friendly powers" to pledge themselves to the non-alienation of the territory in question, so that it might stand in the way of execution of their ambition. Therefore, the non-alienation clause incorporated in the new agreement can be viewed as the result of the lesson from the dearly bought experiences. At the same time, it should be admitted that it was the proper step on the part of Japan when one considers the Convention between Germany and China respecting the Lease of Kiao-chow of March 6, 1898 (pp. 10–11), which provides in its fifth article, "*Should Germany at some future time express the wish to return Kiao-chow Bay to China before the expiration of the lease*, China engages to refund to Germany the expenditure she has incurred at Kiao-chow, and *to cede to Germany a more suitable place.*" It must be recalled that Germany tried to hand Kiao-chow over directly to China for the period of the war when Japan demanded in her ultimatum of August 15, 1914 that Germany should "deliver on a date not later than September 15 to the Imperial Japanese authorities, without condition or compensation, the entire leased territory of Kiao-chow with a view to the eventual restoration of the same to China."

It should be added to this discussion of the non-alienation clause of Shantung Province that on May 14, 1915, the President of the Republic of China, chiefly in accordance with the advice of Japan, made the following declaration based on the unanimous consent of the Senate though not incorporated in the Agreement:

> Whereas the proposal of the Senate makes the following statement: In the last period of the former Ching Dynasty, the national power declined and the fortifications on the sea-coast were ceded or leased to the foreign powers, and whereas to lose such important positions as these involves the loss to the country of its military bases and therefore constitutes a menace to the welfare of the merchants, and whereas

this cession is detrimental to the principle of maintaining the defense of the country by the establishment of the fortresses,—Resolved that the Government is asked to do its best to adopt means to guard the future by the experiences of the past.

We consider that the sea-coast region is the buttress of the vital principle of the defense of the country and consequently that this proposal declares a wise and far-sighted counsel. Therefore, we make proclamation that hereafter all ports, bays and islands of the coasts are excluded from lease or cession to any country whatsoever. We, furthermore, expect all officials of our Army and Navy Departments and local officials to do their duty in finding means for the defense of the country in order to strengthen its right of sovereignty.[2]

This declaration, if supported, when needed, by the actual force of Japan and by the enhanced prestige of the United States with her tremendous military power developed out of the Great War, cannot fail to guarantee China her territorial integrity in World politics.

As to the restoration of Kiao-chow to China, some of the Japanese expansionists would not tolerate the idea of delivering up the territory which was won at the cost of the Japanese blood. They may doubtless hold up a legion of precedents for this and it will be recalled certainly that the seizure of the same territory by Germany in 1897 was done on the pretext of the massacre of the two German Catholic missionaries, whose questionable conduct aroused the natives of that province. However, it might be a wise policy for Japan to deliver it up with good grace, if the Japanese interests are guaranteed under the four conditions as stipulated in the agreement, in order to illustrate Japan's good faith and fidelity to the welfare of China. Moreover, Japan is morally, if not legally, obliged to do so, since Germany did not comply with the "advice" of Japan under the terms in her ultimatum, demanding from Germany the unconditional delivery of Kiao-chow "with a view to the eventual restoration of the same to China." By this pledge, of course, the Okuma Cabinet suffered itself to be

[2] Translation of the text quoted in Prof. Yoshino's *Nisshi-Kōshō-Ron* (Discussion of the Chino-Japanese Negotiations), p. 188, and also see Viscount Kato's "Details of the Chino-Japanese Negotiations in the Fourth Year of the Taishō," in the Magazine of the Alumni of the Kyoto Imperial University, No. 21 (March, 1918), p. 30.

hoisted by its own petard to meet the wishes of the advocates of the retention. It is needless to add that if China, in the course of events, fails to recognize the magnanimity of Japan and fails to comply with the letter and spirit of the non-alienation clause of the Shantung Province or enters into any compact with any foreign Powers which is prejudicial to the interests of Japan—then it should be asserted that "the lease territory of Kiao-chow Bay is completely left to the free disposal of Japan."

Nevertheless, the most interesting point which this question suggests is the final disposal of the territory in the coming peace conference. This question, together with the various territorial adjustments in Europe and elsewhere, will prove a matter of lively speculation in international politics, especially when a novel political idea of non-annexation and non-indemnity at the termination of the World War has attained some vogue in some quarters.

The extension of the term of the lease of Port Arthur and Dalny to the year 1997 and that of restoring the South Manchuria Railway to 2002 and that of operating the Antung-Mukden Railway to 2007 show in reality that "these pretended leases are alienations disguised in order to spare the susceptibility of the state at whose cost they are made."[3] Of course, the Chinese patriots of the twenty-first century would no more tolerate than their predecessors of today the idea of letting this diplomatic practice come to its fruition. Then, why do not the high-minded Chinese people of the present day realize the situation in which their country has been drifting for many decades, to the unknown chaos? Why do they not forget their petty differences and personal gains, and work together to prevent their country from being disrupted by both the internal and external forces? The common saying that "God helps those who help themselves" can be applied at once to national life as well as individual life. Furthermore, it is not regardful of the dignity of a nation to permit the

[3] Despagnet quoted in Westlake, *International Law*, Part I, 'Peace', second edition, p. 136; and as to the precise legal effect of leases, see also Lawrences' illuminating discussion of the subject in his *The Principle of International Law*, fifth edition, pp. 175–179.

maintenance of its sovereignty over its own territory to depend upon the mercy of other nations. This is the high time for the Chinese people to act, when there is no disturber on the horizon during the temporary withdrawal of the European Powers from the East, in determined effort to save their country before it is "too late."

As to the clauses referring to *South Manchuria and Eastern Inner Mongolia, the opening of ports in East Inner Mongolia and South Manchuria, South Manchuria, railways and taxes in South Manchuria and Eastern Inner Mongolia,* and *employment of advisers in South Manchuria*—they are all efforts on the part of Japan in her attempt to effect pacific penetration to solve the economic problem of the country in order to guarantee the national life in the society of nations. The last clause referring to the employment of advisers in South Manchuria, calls for special consideration. Politically, this is a means by which a powerful state supervises the administration of a weaker state, just as, legally, the system of extra-territorial jurisdiction in the Orient safeguards the personal rights and comforts of the citizens of an advanced state in the territories of a backward state. Psychologically, however, in both of these cases, the people of one state have as their aim, the preservation and extension, in another state, of the institutions, mental and material, which they conceive to be the pillars of civilization. The popular phrases of the Unification of the English Speaking People,[4] Pan-Americanism,[5] Pan-Germanism,[6] Pan-Slavism,[7] Italia Irredenta[8] and Pan-Asiatics[9] embody the lofty conception of bonds of affiliation

[4] G. L. Beer: *The English-Speaking People*, pp. 169–198; L. Curtis: *The Commonwealth of Nations* and *The Problem of the Commonwealth*; and A. V. Dicey: *Law of Constitution*, eighth edition, Introduction, pp. 32–37; Sir A. B. Keith: *Imperial Unity and the Dominions*, pp. 418–592.

[5] J. B. Moore: *The Principles of American Diplomacy*, pp. 365–419; E. Root: *Latin-America and the United States*; R. G. Usher: *Pan-Americanism*, pp. 203–323.

[6] C. Andler: *Le Pangermanisme Philosophique* (1800 à 1914), préface, pp. 1–152; and R. G. Usher: *Pan-Germanism*, pp. 1–18 and pp. 230–250.

[7] A. R. Colquhoun: *The Whirlpool of Europe*, pp. 263–288.

[8] S. M. Macvane: *Seignobos' Political History of Europe since 1814*, p. 367; and A. Debidour: *Histoire Diplomatique*, Première partie (1878–1904), p. 49; and H. A. Gibbons: *The New Map of Europe*, pp. 119–130.

[9] S. Nakano: *Azia-Shugi* (Asiaticism).

and comprehension based on the "consciousness of kind"[10] of unified institutions, far overstretching the bonds of nationality or political groupings.

The clause in the fifth article of the original text of the Japanese demand that "Japan shall have the right to propagate religious doctrine in China," which was dropped in the final demand, may be viewed as an illustrative expression of the concept of the extension of a certain religious institution. Fortunately or unfortunately, however, for the safety of this image, its exhibit aroused emphatic disapproval from the members of the Christian "Foreign Mission" Boards. One might perceive, without irreverence, in the agitations created by this source of ferment, a parallel in its way to the rivalry of the Powers for concessions from China and the competition of the great exploiters in their struggles for monopoly or commercial supremacy.

The clause of non-concession in the Fukien Province is another effort of Japan in addition to the non-alienation pledge of the same territory in April, 1898, with a view of attaining a sufficient guarantee of national protection. The chief stimulant to this action was due, no doubt, to Japan's apprehension of the activity, in 1913, of the Bethlehem Steel Corporation, an American concern "to assist (China) in the construction of a dockyard and naval base"[11] on the coast opposite the Island of Formosa.

What is interesting to the critic of international politics is the comparison of the text of this clause with that of the Lodge Resolution[12] of 1912 in the Senate of the United States in regard to the scope of application of the Monroe Doctrine after the Magdalena Bay episode. Again, it might be advisable for him, although he might be open to the criticism of risking

[10] F. H. Giddings: *The Principles of Sociology*, pp. 169–170 and p. 180.

[11] S. K. Hornbeck: *Contemporary Politics in the Far East*, p. 349.

[12] "Resolved, That when any harbor or other place in the American continents is so situated that the occupation thereof for naval or military purposes might threaten the communications or the safety of the United States, the Government of the United States could not see without grave concern the possession of such harbor or other place by any corporation or association which has such a relation to another Government, not American, as to give that Government practical power or control for naval or military purposes" (A. B. Hart: *The Monroe Doctrine: An Interpretation*, p. 235).

a partial quotation, to recall a passage of the speech made by Viscount Ishii at the Hotel Waldorf-Astoria, New York City, September 29, 1917. The Japanese Special Ambassador, who is quoted in full in the following chapter, said in the course of his speech on the Open-Door Policy that "As you went far afield and brought us knowledge of the West, taught us how to grow and how to trade, so we, as we gained wisdom, knowledge and strength, went into other fields to trade and to learn."[13] Thus, the influence of the United States upon Japanese life, national as well as individual, is more predominant than that of any other nation. The conception of the outlook of the Japanese people on human life has been modified, to no small degree, after the American fashion on the one hand and, on the other, the current talk of the adoption of the Asiatic Monroe Doctrine by Japan is substantially the imitation of the foreign policy of the United States.

Therefore, the new establishment of the Japanese claim in the Fukien Province is no exception to this tendency of Japan to follow the footprints of the United States. However that may be, in the comparison of this case with the Lodge Resolution, the only noticeable difference is the scope of the application of the same political idea. In the case of Japan, it is limited to the Fukien Province, while, in the case of the United States, it extends to the both continents in the Western Hemisphere. Nevertheless, the interesting fact is that the same policy of exclusion aimed at Japan finally turned to the United States in three years—a veritable boomerang on the stage of international politics.

The discussion of the Japanese demands should not be dismissed without touching the counter-actions in the relations among Japan, China and the United States. As before noted, the territorial integrity of China was advocated by the United States and preserved by Japan through the Russo-Japanese War, which gave the latter a keen conviction as a World Power. This national consciousness on the part of Japan, together with the scarcity of her natural resources in proportion to her enormous population at home, rose to transform "the Flowery

[13] *The New York Times*, September 30, 1917, p. 3.

Japan into the Industrial Japan"[14] and drove the nation to seek an outlet abroad. She found the "promised land" on the other side of the Pacific and sent annually about ten thousand of her surplus population to the continental United States.[15] This flow of the tide of immigration aroused a great apprehension in the Pacific states caused chiefly by the agitations of the local politicians.[16] Fortunately, however, this dilemma was ended by the so-called "gentleman's agreement" of 1907 entered into between the two countries by which Japan voluntarily undertook to prohibit the emigration of laborers to the United States.[17]

This acquiescence on the part of Japan was done to save her face by not giving the United States for discriminatory treatment. Nevertheless, the agreement was the turning point in Japan's foreign policy and also in the problem of the Pacific. On March 2, 1909, Count Komura, the Foreign Minister made a memorable speech in the Diet on the new policy of concentration of national energy in the development of Korea and Manchuria. He said that "As to the emigration question, it is the policy of Japan to concentrate the Japanese race in the extreme East instead of scattering it in the distant regions of other countries."[18] Just as Russia came to China, when her way to an ice-free port in the West was blocked, so Japan had to return to her neighbors in the East. Thus, after the retreat from the American coasts, the impulse of Japan's continental policy of expansion was directed towards the Asiatic Continent.

China, on the other hand, has been employing for many years, as her last resort, her traditional policy of setting foreign

[14] An illuminating discussion on the subject is presented in the lectures on the "Expansion of Europe" by Prof. William R. Shepherd at Columbia; and also see C. J. H. Hayes: *A Political and Social History of Europe (1815–1915)*, Vol. II, pp. 581–582.

[15] H. A. Millis: *The Japanese Problem in the United States*, p. 3; and *The Report of Commissioner-General of Immigration (1904–1908)*; and as to the "Japanese in the United States," see also S. L. Gulick: *American Democracy and Asiatic Citizenship*, pp. 162–187.

[16] W. F. Johnson: *America's Foreign Relations*, Vol. II, p. 300; and E. Stanwood: *A History of the Presidency (from 1897–1916)*, pp. 147–148.

[17] H. A. Millis: *The Japanese Problem in the United States*, p. 15; and K. S. Latourette: *The Development of Japan*, pp. 203–205.

[18] Y. Makino: *Saikin-Gwaiko-Jijo* (Diplomatic Questions of Modern Times), pp. 442–443; and as to Komura's Continental policy, see *Shina-Gdwaikō-Shi* (History of Diplomacy of China) by the same author, pp. 460–465.

countries against each other, out of which confusion she is to find the vantage-ground of her own security. Seen from this viewpoint, her invitation of American activities to the Fukien Province will be a matter of interest in the Oriental politics. What Prof. Takahashi (Tokio Imperial University) discussed on the Manchurian question in 1910 can be applicable, even today, to the counter-actions in the relations among Japan, China and the United States.

He remarked:

China, on her part, in insisting, to the extremity upon the recovery of her rights, fails to respect any of her own obligations to others. Her only consideration is to recover her own rights. When Russia occupied Manchuria, she tried to achieve her aim by relying upon Japan. When Japan finally succeeded in expelling Russia at the sacrifice of over twenty hundred thousands of her own people, China attempted to re-absorb Manchuria with arrogant pretence of justification. This time, China tries to secure her insistence by relying upon the United States.

What China is after is the maintenance of all her claims by hook and crook and, for this end, she fishes for whatever country she can entice into alliance. Thus, yesterday, she relied upon Japan and today she turns to the United States. Hence, when the United States becomes too dominant, China will resort to intrigues with France or Germany—she does not care what country it may be—to defend herself by setting it against the United States. China is, at present, only making a cats-paw of the United States.

The United States, on her part—considering this tendency a great opportunity—tries to achieve the principle to which she has been holding with the utmost tenacity. If the course of events is allowed to drift in this manner, the relations of China and the United States with Japan might become estranged.[19]

Unfortunately, China was the one to suffer most in these counteractions. To bring about adjustments favorable, if not entirely satisfactory, to all the parties concerned, so that man and man can live together in endless friendship, depends largely upon the statesmanship of international vision as well as upon the more conciliatory spirit of Japan, China and the United States.

[19] "The Tenacity of the United States and the Manchurian Question" in Prof. Sakué Takahashi's article, "The Importance of the Contact-points in the Relations between Japan and the United States" in the *Kokusaiho-Zasshi* (Japanese Journal of International Law), Vol. IX, No. 3, November, 1910, p. 179.

One might mark with reason, in this connection, that the new impetus of activity of Japan towards west across the seas, was analogous to the westward expansion of the United States during the course of the nineteenth century over the great continent of America under the popular slogan of "manifest destiny."[20] However, the only question to be noticed in the comparison of these two types of westward expansion, was whether the former could attain, amidst the competition and jealousies of the Powers, such remarkable achievements as the latter did in "the winning the west." The annexation of Korea[21] on August 22, 1910, which was expected as an inevitable result of the Russo-Japanese War, was the first move along this line and Japan's advance in China during the spring of 1915 was another. Nevertheless, it soon appeared that Japan's attempt was not so successful as that of her predecessor on the American Continent. Either because of the difference of conditions creating more difficulties, or because of a more conciliatory spirit in the adjustment of her claims, or because of the combination of these two causes, Japan concluded to restrain the sweep of her territorial ambition in the continent. Fortunately, therefore, for the territorial integrity of China, before the "manifest destiny" was adopted by any political party as its diplomatic slogan and before a William Walker and his associates in the "filibustering"[22] enterprises appeared among the people, Japan relinquished the policy of territorial expansion and decided to extend her influence in a less demonstrative way—the pacific penetration into the continent of Asia.[23]

[20] C. R. Fish: *American Diplomacy*, pp. 199–200 and pp. 296–303, and also see page 46 of this book.

[21] See Annual Report on Reforms and Progress in Chōsen (1911–1917) and Results of Three Years' Administration of Chōsen since Annexation (1914), compiled by Government-General of Chōsen and also Theodore Roosevelt on "The Japanese in Korea" in his "Fear God and Take Your Own Part," pp. 293–304.

[22] W. O. Scroggs: *Filibusters and Financiers, The Story of William Walker and His Associates*, pp. 1–8.

[23] In the fall of 1915, talk of "Japanese brain and American capital" for the development of China's resources was in vogue in the Japanese circles, which was received with some suspicion by the American people. As to Baron Shibuzawa's idea, on the financial cooperation between Japan and the United States, see *The New York Times*, December 4, 1915, p. 12, cols. 2 and 3; and also as to Baron Megata's visit to the United States in the winter of 1917 as head of the Imperial Japanese Financial Mission, see *The New York Times*, November 24, 1917, p. 19, col. 4, and November 28, p. 4, col. 2.

XIII

RECENT DEVELOPMENTS

a. Russo-Japanese Agreement of July 3, 1916
b. Ishii-Lansing Agreement of November 2, 1917

It has already been mentioned that the *rapprochement* between Japan and Russia, which had begun after the peace treaty of Portsmouth, resulted in the Agreement of July 4, 1910. Since that time, the relation between the two powers has been one of complete harmony. As the logical culmination of this *rapprochement*, as well as the natural consequence of the spirit of cooperation in the present war, a new agreement, setting up a defensive alliance, was concluded July 3, 1916, between M. Sergius Sazonoff, Russian Foreign Minister and Viscount Motono, present Japanese Foreign Minister and then Japanese Ambassador at Petrograd since the restoration of peace between the two countries in 1905. In order to realize "united efforts to maintain permanent place in the Far East," the convention stipulated:

Article I. Japan will not become party to any arrangement or political combination directed against Russia. Russia will not become party to any arrangement or political combination directed against Japan.

Article II. In case the territorial rights or special interests in the Far East of one of the contracting parties recognized by the other contracting party are menaced, Japan and Russia will act in concert or the measures to be taken up in view of the support or cooperation necessary for the protection and defense of these rights and interests.[1]

In an interview in the *Bourse Gazette* on the Russo-Japanese Convention, M. Sazonoff made the following remarks:

The present war opens up a series of problems for Russia the solution of which necessitates our confining our attention to the west for many years. Relying on our solidarity with Japan, as regards Far Eastern

[1] *American Journal of International Law*, Supplement, Vol. X, 1916, pp. 239–241; and as to the text of four articles of the supposed "Secret Treaty between Japan and Russia for Joint Armed Demonstration Against America and Great Britain in the Far East," made public in the Izvestia, Petrograd, by the Bolshevist on December 20, 1917, see *The New York Times*, December 22, 1917, p. 3, col. 1.

questions, we can devote all our energies to the solution of these problems with the assurance that no power will take unfair advantage of China to carry out its ambitious plans, as was the case with other countries bordering on Russia in the East.[2]

On its face, this agreement does not affect the territorial integrity of China. In this defensive alliance, however, the contracting parties have fraternized "as thick as thieves," and there was a rumor for some time in world politics that Japan had been drifting from the Anglo-Japanese Alliance towards the possible Russo-Japanese Alliance.

It should be recalled that when, in 1901, the absorption of Manchuria by Russia was imminent, some members of the Elder Statesmen favored the conclusion of a Russo-Japanese Agreement, by which Russia would have a free hand in Manchuria and Japan in Korea.[3] The project, however, did not materialize in spite of the episode of Prince Ito's pilgrimage to the court of St. Petersburg in the winter to seek "for his health."[4] As an avoidable consequence, Japan and Russia had to engage in 1904–1905 in a death struggle for what they could not find settlement by diplomatic negotiations between them. The new combination of 1916, therefore, seemed about to launch a third and combined attempt on China—the project being the result of the lesson gleaned by them from their sad experiences of the past.

Fortunately, however, for China, fate had in store two events which turned the scales in her favor. The first to be mentioned is the change of the Cabinet in Japan. The Okuma Cabinet, which was the chief author of the celebrated demands, not only increased the chronic estrangement of Japan and China but also aroused "suspicion and misgiving on the part of the Western Powers."[5] Marquis Okuma, who remained grudgingly in his office in the first cabinet crisis of the preceding year, perceived it not wise in September, 1916,

[2] *The New York Times*, July 9, 1916, section 1, p. 8, col. 4.

[3] N. Ariga: *History of Diplomacy of the Last Thirty Years*, Vol. II, pp. 271–272, 275–278; and A. M. Pooley: *The Secret Memoirs of Count Tadasu Hayashi*, pp. 147–152, 200–211.

[4] N. Ariga: *History of Diplomacy of the Last Thirty Years*, Vol. II, pp. 271–272, 275–278; and A. M. Pooley: *The Secret Memoirs of Count Tadasu Hayashi*, pp. 147–152, 200–211.

[5] K. K. Kawakami: *Japan in World Politics*, pp. 177–178.

to remain to expose his Cabinet to the popular discontent of the people and the censure from Elder Statesmen. He tendered his resignation with a good grace. On October 4, Field Marshal Count Seiki Terauchi, then Governor-General of Korea, who is the arch-follower of Prince Yamagata, dean of the Elder Statesmen and maker of the cabinets, organized a new cabinet with Viscount Ichiro Motono as Minister for Foreign Affairs. The news of the formation of the Terauchi Cabinet was received with profound apprehension in the United States and in Europe. Because the new Premier "is of a very different temper from Okuma and his training has been that of a military man," [6] it was feared that he might adopt a very vigorous policy not only toward China but toward the United States. However, he, who was unreasonably styled "a swashbuckler," proved to be a more peaceful statesman than his predecessor in the premiership, who is, in his unofficial capacity, President of the Japan Peace Society.

In the following January, he let his Foreign Minister make the following statement in the Parliament as the basis of Japan's "new Chinese policy."

Viscount Motono said:

Why is it that China, at times, cherishes towards us misgivings and a certain animosity? The chief cause seems to be a tendency to interfere in the internal quarrels of China. Since the overthrow of the Tsing Dynasty and the establishment of the republic, various political parties have been formed in China, and we have in Japan people who are in sympathy with one or another of these parties. These people have a marked propensity to assist the particular party which is in sympathy with their own political or personal views. I believe all these persons are prompted by perfect good-will, but the consequences are deplorable. We have gained nothing but the animosity of our neighbors as well as misunderstanding of our real intentions by other nations.

The present Cabinet absolutely repudiates these courses. We desire to maintain very cordial relations with China. We desire only the gradual accomplishment of all the reforms which China proposes to make for her future development. We shall spare no pains to come to her assistance, if she desires it. We shall try to let her understand our sincere sentiments, and it is for her to decide whether to trust or not. We have no intention of favoring one or another of the political parties

[6] *New York Times*, October 5, 1916, p. 10.

in China. We desire to keep up relations of cordial amity with China herself, but not with this or that political party. It is essential for us that China should be able to develop in a normal manner in the path of progress. What we fear most is her disintegration as the result of continued internal troubles and disorders. We shall make every effort to the end that China may never find herself in such a position, for it is indispensable that she should maintain her independence and territorial integrity.

Nobody disputes that Japan occupies a special position in China. But we must not ignore the fact that other powers have vast interests in China, and, in safeguarding our own interests, we must respect carefully those of others, and we must try first of all to move in accord with other powers with whom we have special agreements and try to reconcile our interests with those of other nations. We are firmly convinced that such is the best policy. In all that concerns the common interest of all nations Japan has no intention of following an egotistic policy in China. She desires most sincerely to work in agreement with the interested powers. The Imperial Government firmly believes that with a little good-will a complete understanding can be reached for the welfare of China as well as to the advantage of all the powers.[7]

The remarkably eminent policy of compromise of the Terauchi Cabinet [8] both in Chinese and Siberian [9] questions

[7] K. K. Kawakami: *Japan in World Politics*, pp. 175–177.

[8] As to the fall of the Cabinet and the statement of the foreign policy of the new Cabinet, see the foot-note at the end of this chapter.

[9] The question of Japanese intervention in Siberia was widely discussed in the press for several months from the end of 1917 and Japan's sincerity in her attempt to save Siberia from Germanization was openly questioned, chiefly in the United States. This question exhibited a lack of understanding and a play of petty politics among the allies, until Allied intervention was sanctioned in August.

While on the other hand, if it is possible to trust the truth of the telegram received in the middle of June, 1918, by the Tokio *Nichi-nichi* from its Vladivostok correspondent—concerning the disclosure by the Bolsheviki of the secret treaty between the United States and Lieutenant-General Horvath, representing the Siberian Government, purporting the establishment of a Republic—Japan will recall with apprehension the political events which developed in Panama in 1903. The renunciation of American entry on the mainland of Asia will not necessarily enlist the confidence of the Japanese, who have observed the episode of the permanent possession of the Philippine Islands by the United States. Furthermore, the application of the ethics of the Panama question to Siberia will hardly be convincing to the neighboring Japanese in the Far East. Indeed, while the Root Mission was on its way to Russia in 1917 a question was put to the Foreign Minister in the Japanese Diet as to the rumored purchase of Kamchatka from Russia by the United States. As to the conciliatory negotiations reported now in progress between Tokio and Washington, concerning the Trans-Siberian and Chinese Railroads, see *The New York Times*, November 24, 1918, section 1, p. 9, cols. 7 and 8, or p. 8, col. 4.

has honorably kept Japan from listening to the seductive whisper of imperial impulse and national expansion and won for her the fame "for unswerving loyalty." [10]

The second and more important event affecting the national integrity of China came from her northern neighbor. As the Chino-Japanese War of 1894–1895 was the chief cause of the national awakening of China and of the Chinese revolution after seventeen years, so the Russo-Japanese War of 1904–1905 was the chief stimulation to the national awakening of Russia and the Russian revolution after twelve years. The consciousness of the Russian people—smoldering for years under the suppression of autocracy but beginning to glow through the war in the Far East and burning intangibly over all Russia for one decade—burst into a great conflagration in the throes of the World War.

The Russian Revolution of 1917 destroyed the Romanoff dynasty, root and foundation, from whose imperial tradition of acquiring an ice-free port on the open sea China had been doomed to suffer for many years.[11] For some time, at least, China can breathe a sigh of relief from the Russian quarter. Japan, on her part, lost, to her bewilderment, a friend to whose comradeship she looked as the guiding factor in her foreign policy. It is not too much to say that, for the last year, the statesmen in Tokio, under the vicissitudes of fortune, had to endure mental agonies, and there seemed no other way for Japan than to return to the American policy of the "Open Door" and Chinese territorial integrity.[12]

[10] Mayor Mitchel's tribute to Japan in his speech at the dinner given to Viscount Ishii, *New York Times*, September 30, 1917, p. 1, col. 1, and as to the elaborate presentation of Japan's efforts during the war, see Dr. T. Iyenaga's speech (delivered before the Japan Society at the Astor Hotel, Nov. 23, 1918) in *The Sun*, November 24, 1918, section 4, p. 1, col. 5.

[11] W. F. Mannix: *Memoirs of Li Hung Chang*, pp. 117–118.

[12] Viscount Ishii, in his speech at the farewell dinner given him in New York City at the Waldorf-Astoria on the evening of September 29, 1917, made with rare tact a clear exposition of not only Japan's position in regard to the Open-Door Policy and territorial integrity of China, but also her relation with the United States and her part in the world war. His speech may be regarded as an authoritative statement of the policy of Japan in world politics and therefore deserves quotation in its entirety:

"It is with no light appreciation of the honor you have done us and the nation I represent—no lack of knowledge of my own shortcomings—that I acknowledge

your courtesy and hospitality throughout our visit to the city of New York. I cannot hope to meet the obligation or to find words fitting the occasion. I can only hope that as time goes on other opportunity may come to me and my countrymen to demonstrate our appreciation in some small degree. Let me assure you that our door is open, and while we cannot offer you opportunity equal to this, the latchstring hangs outside always for the man from New York and the man from America.

"The door is always open. It has always been open; it always must remain open, not only to the guest who comes to trot around our little island for a round of pleasure, but to the representative of these vast commercial interests represented so well in the great gathering of kings of commerce.

"In spite of all the effort to make you believe that Japan, as she grew stronger, was always trying to close the door, I tell you that there never has been an hour when our common sense or our sense of our responsibility failed us. Why close our door in violation of our pledges; or endeavor to close our neighbor's door, when we are in honor bound to protect it? The opportunity for you to trade in Japan or China has never been an equal opportunity in its literal sense. As you went far afield and brought us knowledge of the West, taught us how to grow and how to trade, so we as we gained wisdom, knowledge and strength, went into other fields to trade and to learn. We went to China, where the door was open to us, as to you, and we have always realized that there nature gave us an advantage. There was no need; there is no need to close that door on you, because we welcome your fair and honest competition in the market everywhere. We are trading there, where we have a natural advantage, and where, unless we are very stupid or very inactive, we are bound to succeed, and we are trading here, where your advantage is equally and naturally as great.

"I am persuaded that the grumblings and the whisperings about a door closed in China by the Japanese against America did not come from the broad and generous heart of the enterprising Americans in New York or elsewhere, but is the result of the years of an enemy's effort to create prejudice and distrust.

"Gentlemen, I assure you that a closed door in China has never been and never will be the policy of my Government. The door is open, the field is there. We welcome cooperation and competition all tending to the betterment of the equal opportunity.

"But this propaganda of ill-will has by no means stopped with the persistent cry of a 'closed door'. Much has been written about Japan's policy towards China as being one that sought only the aggrandizement of Japan and the confusion, disruption, or oppression of our neighbor. Here, again, let me assure you. The policy of Japan with regard to China has always been the same. We want good government, which means peace, security, and development of opportunity in China. The slightest disturbance in China immediately reacts upon Japan. Our trade there is large and increasing; it is valuable to us, and China is our friendly neighbor, with vast and increasing potentialities for trade.

"Circumstances for which we were in no sense responsible gave us certain rights on Chinese territory, but at no time in the past and at no time in the future do we or will we seek to take territory from China or despoil China of her rights. We wish to be and always to continue to be the sincere friend and helper of our neighbor, for we are more interested than any one else, except China, in good government there, only we must at all times, for self-protection, prevent other nations from doing what we have no right to do. *Not only will we not seek to assail the integrity or the sovereignty of China, but will eventually be prepared to*

defend and maintain the same integrity and independence of China against any aggressor. For we know that our own landmarks would be threatened by any outside invasion or interference in China.

"For many years our common enemy has been the worst enemy of China as Germany is the worst enemy of all that is honest and decent and fair. Since the outbreak of the war in Europe, China has been a hotbed of German intrigue and in all of this China has perhaps been the greatest sufferer. I cannot give you the positive proofs about the German in the Far East as you have had them placed before you by the alert authorities in Washington, but I can give you as my conviction that the German in China is responsible for most of the unfortunate occurrences and the malicious, widespread misinformation scattered throughout the world for the purpose of impairing the relations of the countries concerned in China and securing the downfall of China to Germany's advantage.

"When Japan or America appeared to make progress in China, we always have had sinister rumors of oppression or the false suggestion of a policy directed against the integrity of that country; boycotts which have cost you, first of all and then us, millions; revolution, disturbances and civil war, have presented a development of which, first of all, China and her honest friend might profit.

"Gentlemen, I ask you in the light of more recent developments to try out the history of the last few years and find proof for yourselves of how greatly in this matter, as in much else, we have been misled.

"I am endeavoring to secure your cooperation in this work of revision of a situation built upon misconception and fraud. I am asking you to cast out the devil of suspicion and distrust in order that we, who are allies and partners, may rebuild the shattered edifice of mutual confidence which means so much as a stronghold for us both. We are neighbors, friends and allies.

"The Pacific Ocean is our common highway. It is guarded and the highway has been swept by our ships of the pirates of the seas so that our countries' trade may continue and our intercourse be uninterrupted. We guard the Pacific Ocean together with our ships, but more than this and better than the ships or the men or the guns is the assurance of the notes exchanged between your Secretary of State, Elihu Root, and our Ambassador, Takahira, in 1908, in which it was mutually agreed and 'firmly resolved to respect the territorial possessions belonging to each other in the region of the Pacific Ocean'. Gentlemen, Japan is satisfied with this. Are you? If so, there is no Pacific Ocean question between us. We will cooperate. We will help and we will hold, each of us, what is guaranteed under that agreement.

"The ideals of America and the ideals of Japan lie very close together. Indeed, the ideals of all nations educated and controlled by the essence of wisdom and justice must bear a close connection. Thus we find that we have now and always had a common ideal and a common purpose in the life of each nation and of each individual. Besides, this struggle for human liberty has convinced your country and mine of the complete solidarity of interest and community of aspiration of our two nations. Today we find ourselves squared shoulder to shoulder, ready to sacrifice everything, save the honor of our own name and our nation, in order that our civilization, built stone by stone through the centuries, should not be changed—to prove the welding of that civilization over the spurious and degenerate product of an evil dream.

"It is not conceivable that you of America or we of Japan because of a false cry of unstable peace can change the course set by a star. It is not conceivable that America and Japan, our ideals one, our purpose fixed, can fall in this great common undertaking.

With the entry of the United States into the Great War, in April 6, 1917, Washington became for many months the Mecca of the allied nations. Japan also decided to send to the United States her mission with Viscount Kikujiro Ishii as its head. Because of the unique position of Japan in the present war, as well as of the fresh memory of her recent demands on China, the special mission from Japan caused much speculation in international politics.

On August 27, Viscount Ishii, on his arrival in Washington, gave to the Associated Press a statement, defining the purpose of his mission:

> The Imperial Japanese Mission came to the United States for two reasons: First, to convey to the President and to the American people the appreciation and congratulations of the Emperor and the nation of Japan for the entrance of the United States into the war as allies of Japan and other nations now waging war against the enemies of freedom; second, to determine how best to cooperate with the United States in carrying the war to a triumphant conclusion.[13]

It was understood, however, that the Government of the United States expected from the Japanese Government pledges of the maintenance of peace in the Far East during the present war. It was also anticipated that Japan would "incidentally touch the Chinese question" in the course of negotiations, though she would not dare to take up the California question when her ally in arms was in need. After the frank presentations of views,[14] which for weeks characterized the conferences, the two governments finally came to a mutual understanding. On November 2, 1917, notes were exchanged between Secretary Lansing and Viscount Ishii, which read in substance: .

> The governments of the United States and Japan recognize that territorial propinquity creates special relations between countries, and,

"We must win, so that, when the peace shall come, the hosts of immortal dead may rest in honor and the hosts of the living throughout all centuries to come may place the unbreakable seal of permanent approval upon the great alliance of today which forever sets a whole world free." (*The New York Times*, September 30, 1917, p. 3, cols. 4–6; and as to the speeches made by Viscount Ishii and his American hosts, see "The Imperial Japanese Mission to the United States, 1917" (Carnegie Endowment for International Peace).

[13] *The New York Times*, August 28, 1917, p. 3, col. 7; and *The Washington Post*, August 23, 1917, p. 2, col. 2.

[14] As to Secretary Lansing's tribute to Viscount Ishii, see *The New York Times*, November 7, 1917, p. 10, cols. 4 and 5.

consequently, *the government of the United States recognizes, that Japan has special interests in China, particularly in the part to which her possessions are contiguous.*

The territorial sovereignty of China, nevertheless, remains unimpaired, and the government of the United States has every confidence in the repeated assurances of the Imperial Japanese Government that, while geographical position gives Japan such special interests, they have no desire to discriminate against the trade of other nations or disregard the commercial treaties with other powers.

The governments of the United States and Japan deny that they have any purpose to infringe in any way the independence or territorial integrity of China, and they declare, furthermore, that they will always adhere to the principle of the so-called "open door" or equal opportunity for commerce and industry in China.

Moreover, they mutually declare that they are opposed to the acquisition by any government of any special rights or privileges that would affect the *independence or territorial integrity of China,* or that would deny to the subject or citizens of any country the full enjoyment of equal opportunity in the commerce and industry in China.[15]

This resembles the Root-Takahira Agreement of 1908, in that both the contracting parties pledged themselves to the principles of the Open-Door policy and the territorial integrity of China, but differs from its predecessor in that "the government of the United States recognizes that Japan has special interests in China, particularly in the part of which her possessions are contiguous."

Then, what is the real significance of the so-called "special interests" incorporated in the convention? What does Japan expect to get, and what does the United States expect to give, under these "special interests in China?" Japan and the United States might not have identical views concerning this interpretation. Secretary Lansing in his explanatory statement of November 6, said:

> The statements in the notes require no explanation. They not only contain a reaffirmation of the "open-door" policy, but introduce a principle of non-interference with the sovereignty and territorial integrity of China, which, generally applied, is essential to perpetual international peace, as clearly declared by President Wilson, and which is the very foundation also of Pan-Americanism, as interpreted by this Government.[16]

[15] *The New York Times,* November 7, 1917, p. 10, col. 3.

[16] *The New York Times,* November 7, 1917, p. 10, col. 4.

Though this statement renews the idea of non-interference with the territorial integrity of China, which principle has been so far treated since the inauguration of the policy of John Hay, July 3, 1900, it does not give any light on the subject in question.

The suggestion may be advanced that the "special interests" of Japan are parallel to the American interests in the Monroe Doctrine. This may be reasonable from the logic of inference but from the aspirations, as well as traditions, of American policy in China, this is not quite free from doubt. Furthermore, whether Japan is at all anxious to declare her Monroe Doctrine in the Far East, is still to be seen.[17] Again, another suggestion may be made that by this phrase the United States recognizes what Japan gained from China in the new Chino-Japanese Agreement of May 25, 1915. This is also not very convincing, because the United States will not, at present, at least, give her acquiescence with such a good grace, although, in some future time, she may not be in a position to deny the prestige of Japan when increased with accelerated velocity.

The next question is what is the meaning of the phrase "in China, particularly in the part of which her (Japan's) possessions are contiguous" where the Government of the United States recognizes special rights of Japan? This is expressed in the same clause by another phrase, "territorial propinquity" of Japan in China. Then, what does this "territorial propinquity" signify? Does it mean East Mongolia, South Manchuria, Shantung, and Fukien? Or does it mean more? Or does it mean less? That this might prove, in the future, the cause of differences of opinion on the part of Japan and the United States, will be seen from the fact that Germany made an unreasonable interpretation of the Anglo-German Agreement of October 16, 1900, under the political conditions which newly developed in a few months after its conclusion. It is only fair, however, to leave these questions to be interpreted in practical politics under actual circumstances which develop from time to time.

[17] Viscount Ishii asks United States press to correct the impression that he said that Japan has a Monroe Doctrine in China, *New York Times*, October 2 p. 9. col. 2.

It is to be mentioned, at the close of the discussion of the Ishii-Lansing Agreement, that in the negotiations Japan did not in honor touch the questions which had loomed out in California and elsewhere from the sense of chivalric spirit, when her friend was in need. And on the other hand, the United States saw it a wise policy to offer Japan a present of "special interests" in China for Viscount Ishii's pocket in return for the renewal of Japan's previous pledges of good faith for the Open-Door Policy and the territorial integrity of China rather than to touch the delicate questions at home, especially under unfavorable circumstances in the course of the present war.

On November 12, 1917, China "considering that both Japan and the United States have transcended their legitimate spheres in making China the subject of conversation affecting her status"[18] lodged a protest with the Government of the United States through Dr. V. K. Wellington Koo, Chinese Minister at Washington.[18] This is an entirely correct step for China to take in order to save her face, at least, in the international society of nations. In almost all the dealings affecting China, the Powers[19] have been too arrogant to pay any respect to the intentions of China, while the latter has been too feeble to demand any consideration due to an independent state. Perhaps China is to Japan and the United States what the two young lovers in the Orient are to their parents, who always claim well-meaningly, but sometimes intolerably, parental authority in the settlement of their children in marriage.

Viscount Motono tendered his resignation early in April on account of the supposed failure of his negotiation with the Powers touching the question of intervention in Siberia and because of his poor health growing worse until his death on September 17, 1918. On April 23, he was succeeded by Baron Shimpei Goto, who is considered one of the figures of chief promise in the Japanese politics and was one of his colleagues in the Terauchi Cabinet. Nevertheless, the reorganization of the Cabinet did not survive more than five months when Count Terauchi resigned on September 25 after the severe censure from both the press and the public of the foreign policy of his Cabinet and its responsibility for the outbreak of the Rice-Riot throughout the country in the month of August. This general uprising which greatly shocked the patriotic ideal of the

[18] *New York Times*, November 13, 1917, p. 12, col. 6.

[19] A. Aoyagi: *Shin-Shina* (New China), p. 17; P. M. Brown: *International Realities*, p. 93.

people, was interpreted as having, at bottom, a political significance in urgency of the extension of democracy in the country.

On September 29, Mr. Kei Hara, the leader of the Seiyukwai, the majority party in the Diet, organized his Cabinet on the party basis. This new Cabinet was welcomed by the public as making headway along the path of party government and democratic assertion in Japan against the almost unbroken control of the government by the bureaucracy. However, the standing of the Hara Cabinet is far from firm in view of the fact that the Seiyukwai do not control an absolute majority in the Diet and the certainty also that the bureaucratic elements will be aggressive in efforts to re-establish their hold on the Government. The development of home politics in Japan will be observed by the people with much interest when the World War advances democracy both national and international as its developments appear to forecast.

The statement of the new Premier on October 19, which was cabled to *The New York Times*, deserves its entire quotation, as it outlines the present position of Japan in world politics in time of war.

"Takashi Hara, Japan's first commoner Premier and leader of the Seiyukwai Party, said today, in his first statement of his policies, that he and his colleagues would constantly labor on the future questions arising out of the present war. Although the alliance with Great Britain would remain the cornerstone of Japan's foreign relations, he said, he wished to emphasize that his special effort would be to promote friendly relations with the United States.

" 'Please tell that to the American people as convincingly as you can', he said, 'because my colleagues and I keenly desire to see Japan and America brought closer together and every shadow of misunderstanding removed'. "With democratic simplicity and directness, Premier Hara discussed frankly all questions put to him and produced the impression that Japan, which for the last fifty years has been largely ruled by bureaucrats, has entered upon a new and significant period of constitutional progress, in which popular opinion is more effectively to guide the nation's policies.

"Beginning life as a newspaper reporter, Hara's attainment to the Premiership is regarded as proving that the time has arrived when in Japan, as in America, any citizen can hope to climb to the places of highest responsibility.

"Premier Hara pointed out that previous attempts to establish the party system of government had been made, but called attention to the fact that the present ministry was the first to come into power on so clearly based an idea of parties.

" 'I will make it my aim to develop party government into consonance with the age in which we live,' he said.

"Requested to explain his views on some criticism that Japan, like the German military autocracy, may sometime become militarily aggressive, Premier Hara declared that he was amazed, on visiting America eleven years ago, to hear the fears voiced by some Americans that Japan's military strength was designed against America.

" 'This is, of course, absurd', he said. 'History shows that Japan has never engaged voluntarily in wars. It is admitted that our war against Russia was purely defensive. We have no ambition nor intention of aggression or conquest. The present war has shown that our agreements were defective and this will be remedied, but Japan has no idea except to be in a proper condition for defense'.

" 'Our victories in the Chinese and Russian wars naturally led the Japanese people to admire their army, and this, in turn, may have led to a misconception abroad of the importance which Japan gives to armaments'.

" 'The military influence is not so dominant in Japan as outsiders may believe. Our Constitution is still young, and some of our people may favor a similar form of Government to the German system, but the present ministry is united in the determination to secure the constitutional development of Japan along the popular lines which the war has so indisputably demonstrated as the world's tendency and the desire of the peoples of the world'.

" 'The voice of the people must be obeyed and the press is the great medium for that voice. I have in mind several measures calculated to embody this popular movement in concrete form'.

"Speaking of China, Premier Hara said he held to the open-door policy of the Lansing-Ishii agreement and would constantly adhere to the policy of non-interference in the internal affairs of China. The same, he said, was true in the case of Russia, where Japan only wished a responsible government, whether Bolshevist or otherwise. Japan, however, would never agree to see Russia dominated by German influence.

"In conclusion, the Premier declared that Japan's expedition into Siberia was the result of a consultation with the United States and the Allies, and that Japan had no intention of taking independent action in the future."

(*The New York Times*, October 21, 1918, p. 6, cols. 1 and 2.)

XIV

CONCLUSION

So far, what has been presented is a rough sketch of the efforts of American diplomacy with reference to assuring the territorial integrity of China. There remains to be examined the intrinsic value of the policy, as seen in the light of international politics during the eighteen years since its inauguration.

Territorially speaking, this integrity policy should, in a strict sense, apply to all the possessions under the Chinese jurisdiction, not excluding the leased territories, although it is admitted by the publicists that "the terms in question (leases) are mere diplomatic devices for veiling in decent words the hard fact of territorial cession." Therefore the limitation which von Bülow schemed to impose on the application of the policy in regard to Manchuria, should be denounced as a betrayal. As a precedent for Chinese territorial integrity, one is naturally reminded of the case of Turkey, whose outlying provinces were sliced one after another, despite the fact that her territorial integrity was guaranteed in the seventh article of the Treaty of Paris in 1856 by the European Powers. As a matter of fact, it is also to be remarked in international politics in China, that the political allegiance of Tibet, Sin-Kiang and Outer Mongolia has been cut loose from China for some years, and they are today falling under the rule of Great Britain and Russia.[1] However, it should be borne in mind that any connivance on the part of the Powers touching the transfer of political allegiance of any part of Chinese territory would be prejudicial at once to the moral force of this policy.

Legally speaking, it is quite within the power and will of a sovereign state, as such, to have its territorial integrity guaranteed by another state. And the mere fact of being guaranteed, in the legal sense, does not deprive the guarantee state

[1] K. K. Kawakami: *Japan in World Politics*, pp. 126–128.

of its sovereign right over its territory; nor does it mean any infringement on the territorial integrity of the guarantee state by the guarantor state or by a third state. Considered from the very nature of the thing, however, the fact cannot be denied that, generally, without the aid of the guarantor state, the guarantee state cannot preserve its territorial integrity in international politics.

Politically speaking, the guarantee is primarily the attempt of the guarantor state to check territorial encroachment by a third state. The guarantee policy, therefore, has, as its aim, the protection of the national interests of the guarantor state in the preservation of the territorial integrity of the guarantee state against the ambitions of the third state.

But, historically speaking, the guaranty did not remain in its original and benevolent form, but has assumed in the long run an aggressive form with the change of sovereignty as its final end. The histories of Cyprus (1878–1913), Egypt (1856–1914), Korea (1902–1910), Morocco (1906–1913) show how the three steps of guaranty, suzerainty, and absorption have been taken with relation to those territories. Then in what stage of this three-fold transformation do we now find American diplomacy working on the question of Chinese territory? The present political condition in China and in the Far East is not such as to allow the United States to exercise her sole hegemony over the Chinese territory. Moreover, it may be safely said that under the present circumstances, the United States has no desire for more territorial aggrandizement.[2] The chief desire of the United States, therefore, lies in the guaranty, in the first and benevolent form, of Chinese territorial integrity, in the preservation of which she is to find opportunities for the prosperity of her commerce and industry in China.

[2] President Wilson's public statement made March 11, 1913, one week after his inauguration. Speech made at Mobile, October 27, 1913, and speech to Congress, December 2, 1913, cited by A. B. Hart: *Monroe Doctrine: An Interpretation*, pp. 238–241 and J. B. Scott: President Wilson's Foreign Policy, Messages, Addresses, Papers (Address recommending the declaration of a state of war between the United States and the Imperial German Government, delivered at a Joint Session of the two Houses of Congress, April 2, 1917), p. 285.

As has already been noted, Chinese territorial integrity is guaranteed by seven agreements (four between Japan on the one hand, and France, Germany, Great Britain, Russia, and the United States on the other, and one between Germany and Great Britain and one between France and Russia and one between Great Britain and Russia). Some of these guarantor states may have no more desire for the three-fold system of change in the administrative control over the territory of China and elsewhere than the United States has, while the others may still believe in it.

What will be the fate [3] of the territorial integrity of China if a Power or combination of Powers takes a decided step, as Russia did, twelve years ago, to destroy it with overwhelming force?

As was stated elsewhere, when the Russian Ambassador cried out that China was dismembered and Russia was entitled to her share, the disruption of China was imminent and the helplessness of the American cause was great. The Russo-Japanese War then answered the question. Had it not been for Japan's decision, the territorial integrity of China might have been destroyed, and, with it, American diplomacy might have been just a passing theory.

Today, in the midst of international competition and the jealousies of the powers, a state hardly dares to profess its "manifest destiny," but does its best in a more guarded manner to realize its national aims. Therefore, if the pledge is violated by any guarantor state, and as long as China indulges in petty differences in her home politics and remains incapable of defending her integrity by her own means, the others must come

[3] "In spreading over the globe, they have come in contact with the old populations which already occupied the outlying regions and who were on the lower stages of civilization. The earth-hunger of the civilized men has produced a collision of the civilized and the uncivilized, in which the latter have often perished. Up to the present time, only one of the outlying nations—Japan—has appeared able, as a nation, to fall into its place in the new order of things and to march on with it. The inevitable doom of those who cannot or will not come into the new world system is that they must perish. Philanthropy may delay their fate, and it certainly can prevent any wanton and cruel hastening of it; but it cannot avert it because it is brought on by forces which carry us all along like dust upon a whirlwind."

(W. G. Sumner: *Earth-Hunger and Other Essays*, pp. 45–46.)

to the rescue, as the United States did, first, and then as Japan did in 1904–1905, in order to make the doctrine of the territorial integrity a permanent one.

In concluding this discussion it is interesting to consider the Chinese territorial integrity question as a test of the international morality of the Powers, whose wanton encroachments upon the small and the weak constitute the greater part of the history of mankind. It is told that, long ago, the "forbidden apple" was taken from the "tree of knowledge," and it remains to be seen whether the Powers of the world can themselves refrain from eating of the "Oriental Pie."

Friendship in Cosmopolitanism and Intervention in Siberia

FRIENDSHIP IN COSMOPOLITANISM [1]

Mr. President, Ladies and Gentlemen:

It has been my frequent pleasure to come to this Club to meet my friends in a cosmopolitan spirit and humor. And today, I am happy to see you, my old friends, back from the vacation, all in the best of health, and with the promise of further studious achievement during this academic year, and happy also to meet my new friends who have come from all corners of the world to join us in cosmopolitanism.

Since we have parted last, six months have passed. The world, in the meantime, with its same daily routine of destruction, is still in a chaotic condition. And we are today face to face with the greatest of questions—a question never presented to mankind with more gravity—whether or not we can ever realize eternal peace among the nations. In view of what has been happening in the last fourteen months, one might believe, not entirely without reason, the contention that we have so far been building "castles in the air." Is, then, peace among us and among the nations a mere illusion, possible only to our imaginations and far beyond realization? Oh, no, my friends! "Things are not what they seem." When we examine more closely conditions in Europe, we see the love of humanity lingering, despite the massacres of enemies of nations, and through the furious war cries we hear a voice declaring the brotherhood of man.

We are gathered here in this hall, coming from all parts of the earth, representing more than twenty-five nationalities, differing in race and religion, differing in creed and culture, but all alike in the benign bonds of love of humanity. We are all of the same belief that man and man can live together in endless friendship in "international mind," to use the happy phrase coined by the honored guest of this meeting tonight, President Butler of our University.

[1] Remarks made as vice-president of the Cosmopolitan Club at its first meeting of the academic year, 1915–1916, at Earl Hall, Columbia University, October 17, 1915.

In this Club, we have been for years—and so forever shall we be—in constant friendship and good will in cosmopolitanism, the application of which spirit to world organizations alone can solve the problem which is placed before us at this moment. I hear now the bugle call which commands us to stand up and act—to propagate all over the world, when we take active part in its life, that idea of cosmopolitanism, which we, at this very moment, are enjoying together in this great world-University.

INTERVENTION IN SIBERIA[1]

For the past four weeks, the question of intervention by Japan in Siberia has been calling for immediate decision on the part of the Allies. Owing, chiefly, however, to disapproval on the part of the United States and to hesitation on the part of Japan, the question is still in a state of suspension. Conditions in Russia in the meantime have become more chaotic, and the obstacles in the path to the ultimate victory of the Allies have been increased. In this connection special attention should be paid to the five following questions—the first two advanced, by some, as the chief reasons for the attitude of the United States toward intervention in Siberia.

1. The Fallacy of Russian Neutrality

By the Treaty of Brest-Litovsk, March 3, 1918, Russia and Germany agreed to conclude peace. This estrangement of Russia from the coalition of the Entente Powers was in disregard of the London Agreement of September 5, 1914, by which Great Britain, France and Russia (and Japan and Italy later) pledged themselves not to make a separate peace with the enemy. The fact that this violation by Russia may, with reason, be construed by the Allies as a hostile act towards them, is shown by the events which followed the separation of the United States from France, in the alliance of 1778 against Great Britain, in 1782. But the situation in Russia should be viewed with more leniency toward the Russian people, who have just embarked on the tempestuous voyage of their new republic, inasmuch as they had been suffering in an extreme degree from a war which had not been started as their own.

What then is the present status of Russia? Is she today a neutral state in this war? In international law, the right of neutrality can never exist without the execution of its obligation. In other words, in order to maintain a position of

[1] This was written on March 23, 1918

neutrality, it is always incumbent upon a state to use "due diligence" in the performance of its duties. The failure, or inability, to live up to its obligations at once commits it to the side of one of the belligerents, thereby losing entirely the right to the respect due neutrality from belligerent nations. Is Russia now executing her obligation as a neutral state? For some time, especially since the peace treaty of Brest-Litovsk, Russia had practically delivered herself up to Germany, her former enemy, and allowed herself to be a tool in her hands to the detriment of the cause of the Entente Powers, her former allies. Recently the German prisoners of war in Siberia were set free and it is reported that a German general was sent east to organize them. They are engaged in a plot, along the Siberian railway, not only without any molestation from, but even with the cooperation of, the Russian Government, to launch a general assault on the allied interests in Asia—in India, in China, and in Japan.

Big Russia cannot and will not do today what little Belgium did in 1914 when the latter feebly, but nobly, attempted to protect her neutrality at the tremendous sacrifice of country and people. Russia violated her own neutrality, while Germany violated the neutrality of her neighbor. Russia is no less a traitor in the domain of law of nations than Germany is.

Therefore, the suggestion made by some gentlemen in the Senate and elsewhere, "that a radical departure from established rules of international law would be involved in the forcible entry into a neutral country" missed the point. The true purport, however, of the suggestion of the neutrality idea might be construed as a mask employed in international politics to frighten Japan in her action in Siberia.

2. Possible Effect of Intervention on the Russian People

As another reason for the American attitude, it was suggested at the beginning of this month "that consideration must be given to the possible effect upon the Russian people of such a course in their relations to the present war," and that the proposed intervention in Siberia would compel the Russians to join the Teuton armies to fight against her former allies.

Russia, for the last few months, entirely under the spell of German control, has entirely lost "complete sovereignty and independence in her own affairs." This became patent when on March 14, while the design of intervention was denied on all sides, the All-Russian Congress of Soviet at Moscow ratified the peace treaty of the Bolsheviki government by the large majority of 453 to 30, in spite of the fact that President Wilson's message of encouragement, wishing them to "become the masters of their own life," had reached the Russians two days before. It is beyond all possibility to expect for some time to come any solid military value, even under German leadership, from the Russians who allowed the Bolsheviki to practically sell out their own country.

3. The United States Must Face the Facts

In a despatch from Petrograd, March 14, Mr. Herman Bernstein described the conditions in Russia on the day of the Moscow Congress: "The most terrible feature of Russian life, perceptible one year after the revolution, is that the Russian people seemingly have lost confidence in themselves, and many look hopelessly to Germany for the restoration of order. Others hope that the Allied Powers will come to the assistance of Russia, but few have any faith in their own power to bring about Russia's salvation."

That this would happen was predicted months ago. On March 8, Lord Robert Cecil, British Minister of Blockade, who realized the danger in delaying intervention, made a strong appeal to the United States and the Allies.

> In fact, I cannot conceive any patriotic Russians who would not prefer the assistance of a friendly power, aiming at the restoration of order, to conquest by a ruthless and unprincipled enemy. . . From the outset of our alliance with Japan she has carried out with great fidelity all her obligations of an ally. We always have found her scrupulously loyal in the performance of her obligation.
>
> I do not think it is generally realized how tremendously serious the German penetration of Russia really is, or what a gigantic scheme of world conquest the Germans now have undertaken. It would be in the richest degree of foolish, if not criminal, if the Entente failed to take every step possible to frustrate this German scheme. Therefore, I personally

believe we would be well advised to seek the assistance of Japan in a manner in which she, and she alone, can do effective service.

M. Stephen Pichon, French Foreign Minister, who was the first advocate, in December, 1914, of an invitation to Japanese troops to the battle-front in Europe, once more exhorted on March 13 the supreme necessity for Japanese intervention which would "play the foremost rôle to re-establish the healthy elements" in Russia.

Why does not the United States join Great Britain, France and Italy in endorsing the proposed intervention of Japan in Siberia?

In spite of the fact that we have repeatedly declared that we harbor no hatred towards the German people, we must go on waging war against them, so long as they are loyal to the cause of German militarism. Towards Russia we have, as the President's recent message said, "nothing but the sincere sympathy which the people of the United States feel for the Russian people at this moment" and nothing but good wishes for the "full restoration to her great rôle in the life of Europe and the modern world." However, if the Russian people remain, as the All-Russian Congress of Moscow shows they are remaining, under the evil influence of the Bolsheviki and German intrigue, we must fight the Russians "to establish the healthy element" in them and to save Russia from Germanization.

While we are hesitant over the negotiations, one province after another is sliced from Russia and falls under the yoke of Germany. This is the turning point for the cause of the Allies. Why does not the United States face the facts? Any more delay and hesitation will constitute "the richest degree of foolish, if not criminal," inaction. Why do "we look before and after, and pine for what is not?"

4. Japan Must Look to Her Self-preservation

Prince Ito is credited with having once remarked that Korea, in the hands of any hostile power, is a dagger aimed at the breast of Japan. The same can be said in regard to Eastern Siberia with fortified Vladivostok as its outlet to the Sea of Japan. It is still common knowledge that, in the Russo-Jap-

anese war, the presence of a few hostile cruisers in the northern waters threatened the entire sea-coast of the Island Empire and kept the Kamimura fleet busy for the entire course of the war. It is needless to mention that German operations against Japan with Vladivostok as a base, through the air, on the sea, and under the water, would constitute a direct menace to Japan.

Since the Russian collapse, German influence has been felt for months in Asiatic Russia, along the great Siberian railway. While the Allied Powers idly spent four weeks in diplomatic discussions without any conclusive results, Germany finally succeeded in her domination of Russia, which means an enlarged "Mittel-Europa," overlapping Europe and extending into Asia.

A score of Japanese have already been massacred and wounded at Blagovieshtchensk by the Bolsheviki, and huge stores of ammunitions and other military supplies at Vladivostok, worth many millions, are in imminent danger of confiscation at the hands of the Germans. According to the statement made last Saturday by Lieut-General Oshima, Japanese Minister of War, there are 94,000 German prisoners east of Lake Baikal, and 60,000 west of that point. They are beyond control and all trying to get arms.

The spirit of comradeship in arms for a common cause demands that Japan make her intentions known to her allies in order to maintain harmony in action. Japan, however, is under no obligation to wait for the approval of all her allies. Japanese intervention has been sought repeatedly by all the Entente Powers, except the United States. American consent, already withheld long enough, is not, under the present circumstances, of absolute necessity to Japan.

Assuming that Canadian territories came under the control of invading Germans, and that huge supplies of ammunitions at Halifax became in imminent danger of confiscation, would Japan for any reason expect the United States not to act until she gave her consent to American intervention? In the Siberian question, Japan's fundamental right of self-protection is at stake. Has Japan the right to neglect her own interests and those of her neighbor and her allies in arms by

hesitating, at this critical moment, because of America's reluctance to consent to intervention?

On August 23, 1914, when Japanese interests were not so much in danger as now in Siberia, Japan plunged into war under the treaty obligation of the Anglo-Japanese Alliance for "the consolidation and maintenance of the general peace in the regions of Eastern Asia and India." Japan should act now on the same principle which actuated her to share in the present war.

Of course, it is natural that Great Britain, France, and Italy should seek the approval of the United States as they are vitally dependent upon America for her material assistance and to offend her would spell disaster to them.

Japan, however, in the present crisis should not delay any longer. Why should Japan submit herself to the interpretation of English or American editions of the question instead of issuing an edition of her own based on the national policy of self-protection from the impending danger from the north? "Why do we stand here idle?"

5. *Supreme Necessity of Cooperation and Vigorous Prosecution of War*

Perhaps the reason for the delay and hesitancy behind the curtains of diplomatic parley is the delicate question arising from the enormous amount of credit given to the Russian Government by the Allied Powers and especially by the United States. Japan has her own share in this mess as a creditor of Russia for about one hundred million dollars, chiefly from the sale of ammunition and other war materials. This may account for the somewhat hesitant attitude of the Seiyukai Party in the Japanese Diet. We can observe, in this connection, the irony of fate in connection with the war-profiteers and the celebrated "dollar diplomacy."

Again, we cannot overlook, however painful it may be, some differences in attitude between Japan and the United States on the intervention in Siberia. But do we not realize the seriousness of the present crisis? Why then do we not cast petty differences aside for a time and move together to

present a solid united front against the common foe, now threatening at our door?

After the defeat of Germany we can settle our minor questions, if any still exist, at the Round Table. After German influence has been completely eliminated from Russia and when the Russian people become "the masters of their own life," we can adjust the financial matters.

During four years of war, the Allies have too often indulged in declarations, which were answered and silenced by Germany with her cannons' roar. We have too often committed ourselves to "peace talk" when there was no semblance of the termination of war.

The great lesson to be gleaned by the Allies from this present question of intervention is the necessity for whole-hearted cooperation and vigorous prosecution of the war to the finish—the only way we can attain a glorious peace that will insure "the world safe for democracy."

Verses
(In Japanese)

〔卅二〕

三、A コスモポリタニズム

〔一九一五年十月十七日アール、ホール、コスモポリタンクラブにて〕

B サイベリア出兵論

〔一九一八年三月廿三日紐育タイムス紙に投書して掲載せられざりしもの〕

「附」

英文目次。

支那に適用せられたる

一、門戸開放主義

〔一九一六年四月コロンビア大學國際法政治科マスターオブ、アーツ論文〕

二、支那領土保全に關する米國外交

〔一九一八年六月五日於コロンビア大學卒業式アインスタイン懸賞（二百弗）受領「米國外交」論文〕

〔卅一〕

〔三十〕

其の日を數へ樂しまん。
太平洋よ、汝が名は
名に背かずば、靜かなれ
旅人の幸吾れ願ふ。
さらば吾が君いざさらば
又た會ふ日までいざさらば。

＝終＝

今宵の暗も知らざるを
樂見し後の苦しみは
今斷腸の想ひあり。
生者必滅會者定離
昔ながらの道理に
涙の泉も乾き果て
吾が身の末を卿つなり。
さばれ、吾が君、願くば
八重の汐路の彼方より
雨の朝風の日に
君が故國を想ふ時
雁の翼に文あれや
さらば吾が身は白百合の
君に捧げし其の儘に
榮ある君が錦衣の

〔廿八〕

君が首途を聽きしとき
吾が耳頓に信じ得ず
悶わしことの幾夜さぞ
心は狂ひ魂は消わ
天に叫び地に呼べど
巖の心の君が意を
返さん術も荒浪の
吾が苦しみの底知れず。
嗚呼、幸なきものは吾身かな
妙へにものせし花束は
君を迎ふるとそれならで
またの會ふ瀬も計られず
万里の外に送り行く
嗚呼、吾が悶わ苦しみよ
昨日の光りなかりせば、

君が顔ばせ今ま殊に
奇しく榮ある喜こびに
吾が捧げたる花の香も
移りて早やも匂はじな。
想ひ起せば、幾星霜
誓ひしことの仇ならで
交友清き歳月に
春の夜朧ろ花のもと
夏の日涼し海の邊や
秋は紅葉の山遊
冬は長夜の語り言
斯くて暮さん百千歳
吾等は地上の幸人よ
永久に變らぬ兄と妹。
契りしことの今は仇

「又た會ふ日までいざさらば」と離別を惜しみて痛ましく埠頭に佇みし可憐の白百合は吹き荒ぶ秋の嵐に堪へ兼ねて哀れ十九の暮れ果敢なくも枯れ果てにけり。

逝きにし人の作今其人の想出に。

（大正七年六月五日夕暮、ハドソン河畔赤殿にて、周）

（七）君を送りて

（大正二年六月二十三日）

故國の山を後にして
君は行く〳〵なり今日の旅
希望の星に輝らされて

學友を送りて

五、刈穂負ふ君が旅路の恙なかれ
　　ロツキー越ねつ海原すぎつ。

大正六年十一月任を全うして
歸る人ありければ

六、國人よ萓苴多く歸ります
　　人の御教心して聽け。

大正七年八月米暴動の飛報あり

七、國人よ、暫時が程は君が任
　　風と波とに行途たがふな。

同年同月遂にシベリア出兵の擧あり

八、北面の仇なす鬼門退治なば
　　移し植ねなん大和御櫻。

（七）　折りにふれ　八首

（一九一三——一九一八年）

蛙の旅

一、親翁が蓑笠かぶり田にゆけと
　　教へしものを鄙の蛙は。

ハドソン河

二、洋々として海に入るハドソンの
　　河の流れは大丈夫のごと。

大和の櫻

三、冬去りて彌生となれば國戀し
　　大和の櫻匂ひそめしか。

紅の涙

四、人遊きぬ希望の星の光り失せ
　　暗に灑なす紅の涙よ。

六、亞細亞の天地數万里
大空共に翔くる可く
飛鳥兩翼の敎悟ならずや
同文の民、同血の民、金色の民

三、「歴史の色に染められし」
歐洲東漸の跡顧みば、
以夷攻夷の常套、何すれぞ
遠交近攻の小策や、何者ぞ。

四、豺狼の貪慾飽かぬ歐洲の
百万の生靈消ねて行く
修羅燎原の臭慘を
他山の石と認めずや。

五、その因果の輪回悟りなば
今ま勃海の邊り波騒ぐ
骨肉の爭ひ
何の戯れぞ。

（六）　金色の民

（一九一五年五月七日東京）
（電報が日本帝國政府の最）
（後通牒を支那共和政府に）
（送致したるを報ずるの日）

一、崑崙の東人四億
大和の島根人半億
維れ、亞細亞大陸の精華
同文の民、同血の民、金色の民。

二、今ま兄弟牆に相ひ鬩めぐ
鷸蚌の爭ひや
缺舌漁夫の利とならば、
唇齒輔車の道ならじ。

眞砂の原に足跡を
遺して共に進むなり。

六、斯くて進みて撓みなく
祭り日數ふ百千歳
天の惠光地に滿ちて
永久の平和の喜びの
來らん時ぞ嬉しけれ。
さらば今宵の歌宴こそ
神の旅路の首途にて
樂しきものゝ極みなれ。

此の怪雲を打ち拂ひ
萬人共に眞神の
榮光永久に浴せよと
今や首途に向ふなり。

五、
櫻の國を後とにして
鵬翼圖南天涯に
遊ぶ我等が願ひこそ
清く尊きものなれや。
遠き未來を見遣りては
日は暮れ道は遙けくも
力を與ふ神あれば、
我が途輝すエスあれば、
我等は共に奮ひ立ち
希望の星に招かれて

越し得ぬ國の境てふ
別目に鏑削りつゝ
百萬の生靈消ゐて行く
今ま歐洲の空痛ましく
神の御旨に遠い哉。

四、瞑目瞬時幾千哩
遙か故國を顧みば、
我が日の本は新興の
名にも背かで幸多く
天の利地の利人の利を
合せて東西兩洋の
文明の華を採りなして
綾爛の錦輝けば、

幸ぞ地上に多かれや
神の御旨は然なりき
キリストの教然なりき。

三、

歳は移りて歳に繼ぎ
世紀の流れ一十回
國は起こりて國に繼ぎ
人は來りて人逐へど、
愛の教は變らねど、
神人常に叫べども、
心の雲に鎖されつ
道の光りの淡はくして
人種の風はいや強く
異教の波は尚ほ荒さぶ。
人の心は同じくも

〔十六〕

壽の名殘り盡きせじと
憂へしことの夢にして
今宵一千九百十四年の
師走の末の五日の夜
同胞茲に百餘名
兄弟姉妹打ち集ひ
心の紐を寛ろげて
神の御榮稱ふれば、
讃美の聲や今ま高し。

二、神の敎は四海一
洋の東西相違なく
天地の間滿ち渡たる
愛と愛との絆にて
世界の平和人類の

一九一四年

（五）　クリスマス吟

（一九一四年十二月廿五日）
（紐育市基督教修道會にて）

一、故國を後とに顧みつ
海山越えて八千哩
異郷の空に來りなば、
語たりの友は稀れにして
孤影空しく大都會
國人の顔ばせ懐かしみ
半夜燈下に懐郷の
想ひに胸を焦がしては、
父母の面影友の跡
去歳の昔の祭り日の

（四）　アルマ、マアター

（一九二三年初秋の小春日）

戀路なりければ。

一、海越えつはるゞゝ茲に訪ねけり
　十歳の戀路なりければこそ。

　文明の母。

二、河ほとり旭ケ丘に立つ姿は
　アルマ、マアター文明の母。

　學び草。

三、慈母の愛文の林に導びかれ
　暫時が程は學び草摘む。

四、「ウオター、ウオター、エヴリホエヤー」、太平洋。
五、萬緑叢中紅一點ハワイ嶋。
六、金門のシスコの灣は波さわぐ。
七、ロッキーの山のテンシャバ鄙娘。
八、プレリーを廣漠無限月のもと。
九、シカゴ町シカと見もせず乗り遅れ。
十、ナイアガラ名ほどあがらぬ瀧のしぶ。
十一、ハドソン河夢か朧ろの月の旅。
十二、ニユーヨーク小春日に咲く花の笑み。

さらば國人、我が友よ
互に幸福を祈りつゝ
後の成業なし遂げて
又た會ふ日をば祈りつゝ
芽出度き船路急がなん。

（三）　膝栗毛十二句

（一九一三年夏）

一、旅立たば何時また見ねん富士の山。
二、さすらひの身にも忘れじ櫻花。
三、鵬翼の自由や廣ろし九千里。

六、
軈て來らん日の本の
輝く光り思ひつゝ
粉骨碎身努めなば、
大和民族後の世の
盛衰浮沈は二つとも
懸かりて我等が肩にあり。
愉快ならずや我等こそ
快事ならずや此の行や。

七、
一樹の下に村雨を
避くるも契り淺からず
數千哩廣ろき海原を
打ち渡らんと一葉の
舟に托する我等こそ
前世の誓いや深し

金山藏くす加州の地
天與富源の開發は
共に我等を今待てり。

五、

加州の暴狀何かせん
我等が武器は忍と耐
人種の風は強くとも
異敎の浪は荒るゝとも
臥薪嘗膽十年の
敎を我等知り得たり。
困難爾を玉にせば
玉取る前の辛苦こそ
我等が願ふところなれ。

名にも背かで幸多く
國の行途頼もしや。
されど國人退嬰の
昔の風に囚はれて
故國の山に憧れつ
鵬翼圖南の志なし
我等は茲に振ひ立ち
進取の風を帆に孕み
氣英の焔燃やしつゝ
天涯万里向ふなり。

四、我等が船はモンゴリア
メーン フラワー それならね
我が植民のパイオニア
バナヽの薫ほる布哇島

二、同胞凡べて百八十
老幼男女別あれど
想ひは一つ相違なし。
緑の國は我が故郷
父母の古里後にして
涙を拂ひ雄々しくも
千里の波濤を蹴破りて
或は商に又た農に
あるはいとしの夫を訪ねつゝ
異國の空に己がじゝ
切なる望み懐きつゝ
我が運命を開かんと
今ぞ船路を急ぐなり。

三、浪の彼方を顧みれば、
我が日の本は新興の

（二）　太平洋上吟

（一九一三年六月二十八日
モンゴリア號甲板上モン
ゴリア會にて）

一、西に東に北南
廣渺無限太平の
海を渡りてたゞ中に
今宵大正二タ年の
卯月の末の暮れつ方
我等は茲に打ち集ゞひ
心の紐を寛ろげて
互ひに想ひを交はすなり。

若き心。

四、

夕榮の黄金の海に消ゆる時
若き心は千々に碎くる。

航　海。

五、

太平洋、海より出でゝ海に入る
幾夜か過ぎし五千哩の旅。

殖　民。

六、

ハワイ島バナヽとのみに想ひしを
大和の櫻咲き匂ひけり。

懷　鄕。

七、

傳へばや、今日も船路の安けさを
吾が身祈れる父と母とに。

（一）航海七首

（一九一三年六月二十三日——
——七月九日）

日の本よ。

一、

日の本よ、又た會ふ日まで恙なかれ
　國の歩みの撓みなくして。

ものはみな。

二、

海越えて國去り行けば、ものはみな
　吾が戀人となりにける哉。

希　望。

三、

海原を打ち出づる朝日眺むれば、
　希望の光りさし添ひにけり。

目次

國を出でゝより折りにふれものしたる歌のむげに散り失せんことの惜しければ、今茲に拾ひ集む。